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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

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In re: ) Chapter 13  
 )  
Pablo Fernando Sevilla, ) Bankruptcy Number 22-04870  
 )  
Debtor. ) Judge Timothy A. Barnes

**F I L E D**

**UNITED STATES BANKRUPTCY COURT**

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**NOTICE OF AMENDED OBJECTION** **NORTHERN DISTRICT OF ILLINOIS**

TO: See Attached Service List

**NOV 30, 2023**

**JEFFREY P. ALLSTEADT, CLERK**

PLEASE TAKE NOTICE that on February 1, 2024, 2023, at 11:00 a.m., I, or my appoint attorney, will appear before the Honorable Timothy A. Barnes, or any judge sitting in that judge's place, and present the **AMENDED OBJECTION of Pablo Fernando Sevilla for Federal Rules of Bankruptcy Procedure Rule 3007 an Amended Objection as to Manufacturers and Trust Company A/K/A M&T Bank Successor by Merger to Hudson City Savings Bank, FSB, erroneously and speciously represented by Bank of America, N.A. as servicer**, a copy of which is attached.

**All parties in interest, including the movant, may appear for the presentment of the Amended Objection either in person or electronically using Zoom for Government (audio only).**

**To appear by Zoom using the internet**, go to this link: <https://www.zoomgov.com/>. Then enter the meeting ID and passcode.

**To appear by Zoom using a telephone**, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and passcode.

**Meeting ID and passcode.** The meeting ID for this hearing is 161 329 5276, and the passcode is 433658. The meeting ID and passcode can also be found on the judge's page on the court's web site.

**If you object to this Amended Objection and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without calling it.**

Pablo Sevilla  
600 West Lonnquist  
Mount Prospect, IL 60056  
Phone 847.340.7686

CERTIFICATE OF SERVICE

I, Pablo F. Seville, hereby certify that I caused a copy of this notice to be served by the method stated on the attached service list upon the above parties on August 2, 2023 before the hour of 5:00 p.m. from M as stated on the attached service list.

By: 

Pablo F. Seville  
600 W. Lonnquist  
Mount Prospect, IL 60056  
(847) 340-7686

Thomas H. Hooper, Chapter 13 Trustee  
55 E. Monroe Street, Suite 3850  
Chicago, IL 60603

VIA CERTIFIED MAIL RETURN  
RECEIPT REQUESTED

Patrick S. Layng  
United States Trustee (Region 11)  
219 S. Dearborn Street ROOM 873  
Chicago, IL 60604

VIA CERTIFIED MAIL RETURN  
RECEIPT REQUESTED

PNC Bank, NA  
Mr. Robert Reilly, Executive Vice President  
222 Delaware Ave  
Wilmington, DE 19801

VIA CERTIFIED MAIL RETURN  
RECEIPT REQUESTED

William S. Demchak, CEO  
PNC Bank, NA  
222 Delaware Ave  
Wilmington, DE 19801

VIA CERTIFIED MAIL RETURN  
RECEIPT REQUESTED

PNC Bank, NA  
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125 E. Lake St, Suite 206  
Bloomington, IL 60108

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14643 Dallas Parkway; Suite 750  
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VIA CERTIFIED MAIL RETURN  
RECEIPT REQUESTED

Heavner, Beyers & Mihlar, LLC  
601 E. Williams St  
Decatur, IL 6252

VIA CERTIFIED MAIL RETURN  
RECEIPT REQUESTED

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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

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F I L E D

In re:	)	Chapter 13	
	)		<b>UNITED STATES BANKRUPTCY COURT</b>
Pablo Fernando Sevilla,	)	Bankruptcy Number 22-04870	<b>NORTHERN DISTRICT OF ILLINOIS</b>
	)		
Debtor.	)	Judge Timothy A. Barnes	<b>NOV 30, 2023</b>

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JEFFREY P. ALLSTEADT, CLERK

**DEBTOR, PABLO FERNANDO SEVILLA'S, AMENDED OBJECTION AS TO THE  
PROOF OF CLAIM FILED BY MANUFACTURERS AND TRADERS TRUST  
COMPANY A/K/A M&T BANK SUCCESSOR BY MERGER TO HUDSON CITY  
SAVINGS BANK, FSB, ERRONEOUSLY AND SPECIOUSLY REPRESENTED BY  
BANK OF AMERICA, N.A. AS SERVICER**

Now comes the Debtor, Pablo Fernando Sevilla ("Debtor"), Objecting to the Proof of Claim filed by **MANUFACTURERS AND TRADERS TRUST COMPANY A/K/A M&T BANK SUCCESSOR BY MERGER TO HUDSON CITY SAVINGS BANK, FSB, ERRONEOUSLY AND SPECIOUSLY REPRESENTED BY BANK OF AMERICA, N.A. AS SERVICER** states as follows:

**Introduction**

The Debtor filed a voluntary petition seeking relief under Chapter 13 of the Bankruptcy Code on April 28, 2022. At the time of filing, the Debtor was facing foreclosure related to his primary residence located at 600 W. Lonnquist, Mount Prospect, Illinois ("Lonnquist Property").

Without evidence or proof that Manufacturers and Traders Trust Company, whose Parent Company is M&T Bank Corporation (hereafter "M&T Bank") had at any time extended credit to the Debtor, without evidence or proof of a perfected lien from Home Loan Center, Inc, dba Lending Tree Loans (the only Creditor who extended credit) transferring that perfected lien to M&T Bank, a possible debt buyer however, not a creditor, with no perfected lien on the subject

property, the Proof of Claim 4 was filed by **MANUFACTURERS AND TRADERS TRUST COMPANY A/K/A M&T BANK SUCCESSOR BY MERGER TO HUDSON CITY SAVINGS BANK, FSB, ERRONEOUSLY AND SPECIOUSLY REPRESENTED BY BANK OF AMERICA, N.A. AS SERVICER** alleging a balance due of \$868,345.56 for a current debt owed to M&T Bank Corporation's principal bank Manufacturers and Traders Trust Company using the trade name M&T Bank, at this time, which is not actually the truth.

Several unfounded pronouncements were made in just an attempt to manipulate the name of the purported creditor by presenting the assumption that M&T Bank was a "successor by Merger to Hudson City Savings Bank, FSB (Hudson, FSB") without defining what they succeeded to, as it was not all of the inventory or the all of the assets of Hudson, FSB. In fact, M&T Bank Corporation, the holding company, acquired only Hudson City Bancorp, Inc which is another holding company.

A very important fact, purposely left out of the Proof of Claim, is that at the time of the acquisition **M&T Bank Corporation**, a financial holding company headquartered in Buffalo, New York did not have any operations or purchase assets in states where they did not hold a license to do business. M&T's principal banking subsidiary, M&T Bank, operated banking offices in New York, Maryland, New Jersey, Pennsylvania, Delaware, Connecticut, Virginia, West Virginia and the District of Columbia. Trust-related services are provided by M&T's Wilmington Trust-affiliated companies and by M&T Bank. This did not include any business, including servicing of loans in Illinois.

Although the word "merger" is used to describe this transaction, it was actually a complete stock purchase acquisition and the Hudson City Bancorp, Inc organization became closed out, no longer in business and without the continuation of this organization, the

transaction was a complete acquisition, not a merger, of the organization on or about November 1, 2015.

Debtor has absolute evidence that this particular loan sold long before this 2015 acquisition took place. Debtor has absolute evidence that the owner of this loan has not sold its interest since the purchase of this loan took place in 2005 to a Government Sponsored Enterprise (GSE) at the inception of the loan, and was sold by Home Loan Center, Inc dba Lending Tree Loans to the GSE. This information is in the actual mortgage loan file, with the originating documents, including Lender Instructions and Escrow Instructions, and would be included in the Proof of Claim if M&T Bank in actuality was the creditor and Bank of America, N.A. in actuality really was the servicer.

The first record clearly states that there was never a legal transfer *by assignment of the Note* that would have kept the Note and Mortgage together for enforcement of the debt. There is no remedy of the rights in the mortgage that can be “evidenced” by an assignment; four (4) years after the GSE purchased the loan. There is no legal sufficiency in an ASSIGNMENT OF MORTGAGE by “M.E.R.S, INC” which never owned or had rights to the Promissory Note at any time. With the mortgage sent over to BAC HOME LOANS SERVICING, while the Promissory Note was held by the GSE, no indorsement on the Note to M.E.R.S, INC, and no indorsement on the Note to BAC HOME LOANS SERVICING, or indorsement on the NOTE from M.E.R.S, INC to BAC HOME LOAN SERVICING, the Note is still with the GSE, as M.E.R.S, INC cannot assign assets it does not own. The submission to the Bankruptcy Court of the entire Loan File from inception will prove this information to be true. This loan file may now be withheld by Heavner, Beyers & Mihlar, LLC, as M&T Bank does not have this loan in its inventory of loans or any retail consumer business records.

This deficiency in the transfer was not cured by another assignment, two years later, by a company that never had the Promissory Note and never had the mortgage in their name or perfected an interest on the property as an ASSIGNMENT OF MORTGAGE by M.E.R.S, INC, a party that never had the Promissory Note and held no rights in the mortgage either, has no authority or a promissory note to assign to BANK OF AMERICA, N.A. Without the Promissory Note, the assignment is providing no rights in the Debt, no rights as a Creditor and no rights as an assignee, by operation of law.

F.R.S. Development Co., Inc. v. American Community Bank and Trust, Appellate Court of Illinois, Second District. February 23, 2016 2016 IL App (2d) 150157, **Headnote:** A “mortgage” is an interest in land, created by a written instrument providing security in real estate to secure payment of a debt. It is well settled law throughout the Courts that an assignment of the Note carries with it the assignment of the security instrument, however, an assignment of the mortgage only (a mere incident to the Note), provides no rights to the assignee. “The mortgage is deemed a mere incident to the mortgage debt, and the conveyance of the interest of the mortgagee in the land, without an assignment of the debt, is considered in law as a nullity....” It must be clearly understood that an assignment of a Note, by operation of law, does not create an indorsement to a new party. Without the proper indorsement, a promissory note will not be transferred to a new party as the compulsory and obligatory requirement of 810 ILCS 5/Uniform Commercial Code Article 3-303 (from Ch. 26, par. 3-303) Sec. 3-303 still applies to enforcement.

**MERS DOES NOT TRANSFER NOTES – THIS EXACT NOTE IS NOT A MERS  
NOTE AND THE ASSIGNEES ARE NOT MERS MEMBERS**

Statements by MERS from interrogatories served on MERS a Mississippi District Court

case (09-cv-00182) Kirby v. Bank of America NA: Answer to Interrogatory #13:

“The MERS assignment can only assign the interest that MERS is holding. When MERS is named as the beneficiary, it holds legal title to the Deed of Trust (mortgage) and can assign the Deed of Trust (mortgage). Unless MERS is the note holder it cannot transfer the note since the note moves through endorsement and delivery pursuant to the Uniform Commercial Code.”

In re Mortg. Electronic Registration Systems, Inc., United States Court of Appeals, Ninth Circuit. • June 12, 2014 • 754 F.3d 772, the District Court held, mortgagors had standing to bring false document claims against MERS; mortgagors stated a false filing claim against MERS, the mortgagors suffered a distinct and palpable injury by the allegedly false filing of MERS as the filings asserted an interest in mortgagor’s property that could cloud title.

Attached is a “MERS ANNOUNCEMENT” to its members. (See Exhibit A) This is to clarify that MERS is a membership and if an origination is not a member of MERS, that organization will never be permitted to do any activity in the name of MERS. The only entities that can become a MERS member are organizations that originate promissory notes in order to appoint MERS as a nominee on the Mortgage or the Deed of Trust. Only the note holder, the MERS member, can assign a mortgage to another party AFTER the new party purchases the promissory note from the current promissory note holder for value designated by 810 ILCS 5/Uniform Commercial Code Article 3-303 (from Ch. 26, par. 3-303)

Sec. 3-303. Value and consideration.

- (a) An instrument is issued or transferred for value if:
  - (1) the instrument is issued or transferred for a promise of performance, to the extent the promise has been performed.

Servicing and debt collection companies are not and never will be a member of MERS.

Directly taken from the OVERVIEW of the MERSCORP Holdings handbook, (Exhibit B  
Pages 1-5)

**Overview:**



MERSCORP Holdings, Inc. ("*MERSCORP Holdings*") owns and operates a national, electronic registry called the MERS® System that tracks changes in *Mortgage* servicing rights and beneficial ownership interests in loans secured by residential real estate.

Mortgage Electronic Registration Systems, Inc. ("*MERS*"), MERSCORP Holdings' wholly-owned subsidiary, acts as the *Mortgagee* in the public land records and as *Nominee* for the *Lender* and its successors and assigns. In order to originate a loan with MERS as the original Mortgagee, the *Originating Organization* must be a MERS® System Member. At closing, the borrower and Lender agree to name MERS as Mortgagee on the Mortgage. The Lender then records the Mortgage in the public land records and registers the loan information on the MERS® System.

MERS serving as the Mortgagee, in conjunction with use of the MERS® System, largely eliminates the need for subsequent mortgage *Assignments*, thereby improving the process and reducing the cost to transfer and track the changes in mortgage rights and increasing the efficiency of the *Lien Release* process.

**Note: The MERS® System is neither a legal *System of Record* nor a replacement for the public land records. Mortgage servicing rights and beneficial ownership interests are not transferred on the system; they are only tracked.**

The Handbook goes on to explain the activities must occur to **use the Registry**.

#### **JURISDICTIONAL CONSEQUENCE: MAIN IMPEDIMENT TO THE FILING OF A PROOF OF CLAIM BY HEAVNER, BEYERS & MIHLAR, LLC**

M & T Bank did not and to this day, will not present this Proof of Claim #4 to this Court even though Bank of America's attorneys claim that they did present this Proof of Claim, as the attorneys at the firm of Heavner, Beyers & Mihlar, LLC claiming that they represent M&T Bank when actually this firm was not hired by the principals of M&T Bank, or anyone from the M&T Bank headquarters in Buffalo, NY. (Exhibit C: See mails from M&T in Buffalo, NY)

Once this Proof of Claim #4 was filed by the law firm, the firm runs the risk that the claim will be lost forever (see *ResCap Liquidating Trust v. PHH Mortgage Corp. (In re Residential Capital, LLC)*, 558 B.R. 77 (S.D.N.Y. Sept. 21, 2016)) The act of filing a proof of claim can waive certain rights and have significant collateral effects on future litigation. The act of filing a proof of claim constitutes a party's consent to the jurisdiction of the bankruptcy court to adjudicate both:

.....Matters pertaining to the claim itself.



... Related matters, including claims by the debtor against the creditor.

This filing of the proof of claim has the effect of bringing any number of related claims into the ambit of the bankruptcy court and, at the same time, deprive the creditor of the right to seek a jury trial (see *In re CruisePhone, Inc.*, 278 B.R. 325, 330 (Bankr. E.D.N.Y 2002) “By filing a claim against the estate, a creditor triggers the process of allowance and disallowance of claims and an adversary proceeding seeking recovery against the creditor becomes part of that claims allowance process.”. Existing US Supreme Court precedent confirms the essential nature of the proof of claim in allowing bankruptcy courts to hear and determine avoidance actions by debtors in bankruptcy with no right to a jury trial (see *Langenkamp v. Culp*, 498 U.S. 42, 44 (1990); *Granfinanciera, S.A. v. Nordberg*, 492 U.S. 33 (1989)).

This Proof of Claim #4 is a sworn and signed document attesting to the validity of a claim. Any misrepresentations in the proof of claim or the documents attached can provide a basis for disallowance, sanctions, or worse. This is especially the case for declarations or affidavits filed in support of a proof of claim, particularly when considering the filer’s understandable desire to tell its story in a light most favorable to allowance of the claim or even for convincing claims traders to buy the claim.

Federal Rule of Bankruptcy Procedure 3001(b) provides that a proof of claim may be executed by the creditor or, with limited exceptions, by “the creditor’s authorized agent.” The proof of claim constitutes a sworn statement representing that the information is true and, therefore, Debtor has evidence that Maria C. Sanchez could be liable even if Bank of America, N.A. provided false information or made misrepresentations regarding the basis for the claim or the claim amount, whether intentionally or unintentionally.

Since Maria Sanchez signed the proof of claim, then she may be subject to sanctions under Federal Rule of Bankruptcy Procedure 9011 if the court determines that there was, in fact, no reasonable basis for the claim (or worse, if there has been any fraudulent conduct in preparing the proof of claim (see Fraud, Perjury, and Administrative Inconvenience)). Maria Sanchez possesses no first-hand knowledge of the validity of the claim and has personal liability for these violations.

Further, Bankruptcy Courts have concluded that, in signing a proof of claim on behalf of a client, the attorney becomes a fact witness about the validity of the claim and therefore waives the attorney-client and work-product privileges concerning the facts set out in the proof of claim (see *In re Rodriguez*, 2013 WL 2450925 (Bankr. S.D. Tex. June 5, 2013) (noting that a proof of claim is not like a complaint because, under Federal Rule of Bankruptcy Procedure 3001(f), it inherently “constitute[s] prima facie evidence of the validity and amount of the claim”)).

**PROOF AND EVIDENCE THAT MANUFACTURERS AND TRADERS TRUST COMPANY A/K/A M&T BANK SUCCESSOR BY MERGER TO HUDSON CITY SAVINGS BANK, FSB, ERRONEOUSLY AND SPECIOUSLY REPRESENTED BY BANK OF AMERICA, N.A. AS SERVICER IS NOT NOW, AND NEVER WAS THE CREDITOR OF THE DEBTOR AND NEVER SIGNED OFF ON POC #4**

M & T Bank did not and to this day, will not present this Proof of Claim #4 to this Court. Manufacturers and Traders Trust Company did not and to this day, will not present this Proof of Claim #4 to this Court. Neither M&T Bank or Manufacturers and Traders Trust Company hired Bank of America to service Debtor’s loan. Neither M&T Bank or Manufacturers and Traders Trust Company hired attorneys at the firm of Heavner, Beyers & Mihlar, LLC claiming that they represent MANUFACTURERS AND TRADERS TRUST COMPANY or M&T Bank as Creditors for the Debtor’s loans. (See Exhibit B, emails from M&T in Buffalo, NY)

To obtain the necessary evidence regarding the fact that M&T Bank does not have any claim on Debtor's property for an unpaid note or placing a mortgage lien on the property, Debtor was forced expense a flight to Buffalo, New York and to engage a HUD certified counselor and an Expert Witness for assistance in presenting the truthful information and evidence to this Court to counter the dishonesty, deceit and mendacity of the attorneys for Bank of America who do not represent the principals at M&T Bank in Buffalo, New York.

MANUFACTURERS AND TRADERS TRUST COMPANY is not a National Association. They are a State Chartered Bank although their Primary Regulator is the Federal Reserve Board, Secondary Federal Regulator is the CFPB and they are registered with the FDIC and Certification #588. The County of registration is Erie, New York. When checking with the New York Department of Financial Services (DFS) and the "Who We Supervise App" on the DFS Portal you find M&T Bank Corporation, One M&T Plaza, Buffalo, NY 14240, is a financial institution licensed by the Department, and what additional locations or branches they may have. N.Y. C.P.L.R. § 311 (McKinney 2001) sets forth the methods of effecting personal service of process upon a corporation. It provides, in relevant part, as follows:

- a) Personal service upon a corporation . . . shall be made by delivering the summons as follows:
  - 1. [U]pon any domestic or foreign corporation, to an officer, director, managing or general agent, or cashier or assistant cashier or to any other agent authorized by appointment or by law to receive service.

As of today, Manufacturers and Traders Trust Company and M&T Bank have not been serviced with the subpoenas or other actions to and are requested to be personally served upon the officers and local employees of the bank located at One M&T Plaza, Buffalo, NY in order for

the officials at Manufacturers and Traders Trust Company and M&T Bank to provide the evidence required by this Court to prove that the filed Proof of Claim #4 is a false filing. Countless emails, conversations, phone calls and admissions were obtained directly from M&T Bank seriously denying any claim to the promissory note, to the debt to any involvement in this loan, since its origination in 2005.

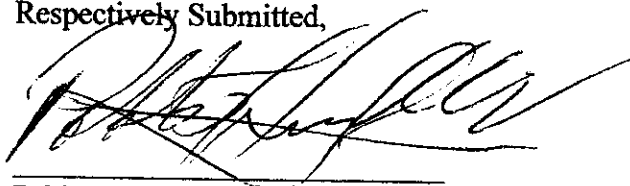
Ms. Brooke Douglas, Assistant Vice President and Branch Manager has requested that all Service of documents and subpoenas be submitted to her for a response by either Ms. Douglas, or a senior officer to Ms. Douglas. The address is One M&T Plaza, 345 Main Street, Buffalo, NY 14203. Ms. Douglas has also requested that all filings and other information be emailed to M&T Bank at [bdouglas@mtb.com](mailto:bdouglas@mtb.com) and the correct parties will be responding to this Court with evidence and statements regarding this erroneously filed Proof of Claim #4. When these actions are completed and M&T has had the opportunity to respond timely to all requests, Debtor will have all of the evidence that M&T Bank does not own and is not owed any money, is not the creditor to Debtor and did not submit the Proof of Claim #4.

No evidence has been presented that any mergers or acquisitions included this exact loan for enforcement to a new Debt buyer. No assignments of mortgage, including the first assignment by M.E.R.S., Inc and the second assignment by M.E.R.S., Inc that confirm or show a right that could be assigned to a servicer (BAC Home Loan Servicing, etc) that would include the promissory note for enforcement. No discovery has been responded to by M&T Bank or its subsidiary Manufacturers Trade and Trust Company directly through an officer who would have personal knowledge of the promissory note being purchased for enforcement by Manufacturers Trade and Trust Company (a bank which is not also known as its parent company. They are separate organizations.) See Exhibit D and Exhibit E.

The Debtor has been diligent in pursuing this case. He has made his plan payments and has been attending hearings anytime his case was called. There is no prejudice to creditors, as the creditors need to resolve the claim issues that related to the proper parties and lien concerns.

WHEREFORE, the Debtor, Pablo Fernando Sevilla request that this Court allow subpoenas be issued to the all parties in possession of certain evidence outlined by the regulators, and the FDCPA law and the CFPB, necessary to prove that Manufacturers and Traders Trust Company has NEVER extended credit to Debtor and can not be considered a creditor in this bankruptcy and that the purported creditor must have the evidence of a debt by a legally transferred promissory note and paid for pursuant to 810 ILCS 5/Uniform Commercial Code Article 3-303, transferred by Home Loan Center, Inc, dba Lending Tree Loans to Manufacturers and Traders Trust Company for enforcement. This is necessary to include this debt in Debtor's plan for repayment.

Respectively Submitted,



Pablo Sevilla  
600 West Lonquist  
Mount Prospect, IL 60056  
Phone 847.340.7686

Exhibits:

- Exhibit A: MERS Announcement
- Exhibit B: MERSCORP Holdings handbook, (Exhibit A Pages 1-5)
- Exhibit C: Emails from M&T in Buffalo, NY
- Exhibit D: Affidavit of Pablo Sevilla
- Exhibit E: Affidavit of Cyndee Rae Estrada

# **EXHIBIT**

**A**





# Announcement

Number 2011-01

To: All MERS Members

February 16, 2011

## Re: Foreclosure Processing and CRMS Scheduling

MERS is providing the following guidance to all Members to strengthen business practices, and minimize reputation, legal and compliance risk to MERS and its Members. In recent months legal challenges have arisen regarding alleged inadequacies and improprieties in the foreclosure process including allegations of insufficient or incorrect supporting documentation and challenges to the legal capacity of parties' right to foreclose. MERS is committed to reevaluate and strengthen its systems and procedures to protect against these types of legal challenges. Consistent with this approach we have enhanced the Corporate Resolution Management System (CRMS) and instituted related policies and procedures designed to strengthen MERS' business practices and limit compliance risks. To comply with this guidance, MERS Members should implement the following practices, effective immediately.

1. MERS is planning to shortly announce a proposed amendment to Membership Rule 8. The proposed amendment will **require Members to not foreclose in MERS' name**. Consistent with the Membership Rules there will be a 90-day comment period on the proposed Rule. During this period we request that Members do not commence foreclosures in MERS' name. If a Member determines that it will commence a foreclosure in MERS' name during this 90-day period, two weeks advance notice must be given to MERS to permit verification of the appointment and current status of the Certifying Officer proposed to participate in the foreclosure. No foreclosure may be processed in MERS' name without first obtaining this verification. We encourage Members to bring foreclosures only in the name of the holder of the note, in the name of the trustee or the servicer of record acting on behalf of the trustee.
2. MERS Members shall have **a MERS Certifying Officer** (also known as MERS Signing Officer) **execute assignments out of MERS' name before initiating foreclosure proceedings**. Assignments out of MERS' name should be recorded in the county land records, even if the state law does not require such a recording (see [MERS Membership Rule 8](#)).
3. For all future assignments and the execution of other documents in the name of MERS, **Members must use a MERS Certifying Officer who has been appointed under our new certifying officer process**, which, after November 1, 2010, uses a new form of corporate resolution. Under our new process, all Certifying Officers are also being tested and appointed under the enhanced CRMS. Only Certifying Officers appointed under the new form of corporate resolution, tested, and transitioned onto CRMS after November 1, 2010 should execute assignments. We are in the process of ensuring that all Members are transitioned onto CRMS in compliance with our new policy, and we will work with all Members to ensure the transitions can be accomplished in an orderly and expeditious way. For those Members who have not undergone this transition onto the CRMS, you will receive login credentials and further instructions from MERS on how to complete this process. It is important that you follow all instructions and that you complete this process as quickly as possible. MERS will be communicating with you to notify you when your Company will be transitioned onto the CRMS under our new policy. Once your Company has access to the CRMS, all of your existing and potential Certifying Officers should work quickly to complete the certification process. Once all of your existing and potential Certifying Officers have successfully completed the certification process, you will need to submit your request to MERS for approval. Submissions from your Company will only be accepted during the phase-in period assigned to you. **Because it will take some time to transition under our new policy, Certifying Officers can continue to execute documents in MERS' name under existing resolutions until the new corporate resolution is issued to your Company.** However, if your Company does not submit the request to MERS through the CRMS in the timeframe assigned to you, you will not be issued a new corporate resolution and any prior corporate resolutions issued to your company will be revoked.



4. MERS Members should ensure the accuracy of the information in the complaint and foreclosure affidavit that addresses, where applicable, the authorization under which a MERS Certifying Officer validly assigned the mortgage to the foreclosing note-holder.
5. Other business practices Members should perform on a periodic basis include:
  - Conduct a review of employees designated as Certifying Officers and reconcile to the CRMS to ensure MERS has an up-to-date and accurate list of Certifying Officers;
  - Ensure employees designated as Certifying Officers receive appropriate training to carry out their duties and responsibilities as Certifying Officers; and
  - Reconcile with CRMS to update corporate resolutions and signing authority agreements to ensure appropriate Certifying Officers are validly appointed.

If you have any questions regarding this announcement, please contact the MERS Law Department at [mers@mersinc.org](mailto:mers@mersinc.org), or call the MERS corporate office at 703-761-1270 and ask for the MERS Law Department. The MERS Help Desk will not be able to assist in this matter.

# **EXHIBIT**

**B**



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**MERS<sup>®</sup> System Integration Handbook**  
**Volume I**  
**Business Integration Environment**

Release 30.0  
December 14, 2015

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# Introduction

Welcome to the MERS® System! We have developed the *MERS® System Integration Handbook* to help you integrate the MERS® System and procedures within your organization's business process and technology environment. This handbook is divided into two volumes. Volume I is the *MERS® System Business Integration Environment*. Volume II is the *MERS® System Technical Integration Environment*. When you become a MERS® System Member, and have committed resources to implement the MERS® System, we assign a Business Integration Resource (BIR) to work with your internal MERS® Integration Contact. The BIR will guide you through the steps necessary for a successful MERS® System implementation.

We have also included tools to help you assess the effort, resources and time frames required for achieving successful integration of your automated systems with the MERS® System. We encourage you to immediately contact your technology providers (origination, secondary marketing, servicing systems, etc.) to confirm their dates for supporting your implementation. We also suggest that you notify business partners of your intended use of the MERS® System (especially Fannie Mae, Freddie Mac, Ginnie Mae, FHA, VA, wholesale Lenders, housing agencies etc.). MERSCORP Holdings will work with your Investors to resolve any issues related to your business.

Our goal is to help you automate the MERS® System registration and servicing process with the smallest expenditure of time, talent, and money.

We have designed the MERS® System to take advantage of an Electronic Data Interchange (EDI) environment and to leverage and promote the industry's migration to electronic commerce. We also provide a flat-file format. While EDI is an acceptable method for submitting system-to-system transactions to the MERS® System, the Flat-file interface is recommended especially for new Members.

As the technology partner to MERSCORP Holdings, Hewlett Packard Enterprise (HPE) is also prepared to assist you in the integration process and answer any questions you have. Your Business Integration Resource will work with your MERS® Integration Contact and HPE resources to ensure that you have the necessary support.



# What Is the MERS® System?

## Business Offering

### Introduction and Background

In today's mortgage banking industry, a costly, time-consuming and paper-intensive environment exists for all those involved in transferring and tracking mortgage rights. Investors transfer mortgage ownership rights using the same process as required by seventeenth century real property law. Note endorsements, mortgage assignments, and satisfaction documents must be prepared, verified, and delivered, and mortgage assignments and releases must be recorded. This process is cumbersome and paper-intensive, costing the mortgage industry hundreds of millions of dollars each year.

A number of industries in similar situations have leveraged information technology to reduce processing costs. Forty years ago, stock and bond registration and trading procedures were primarily paper-based. Similar to the use of assignments in transferring mortgage rights, stock and bond certificates were issued to investors to evidence ownership of securities. Each time a security was bought or sold, the original paper certificate was destroyed and a new certificate was issued to the buyer. As trading volumes increased over time, the paper work became unmanageable, causing delays in trade settlement dates. Because of these problems, the securities industry began to implement book entry systems to streamline the process, eventually reducing costs by over 90%.

In recent years, the mortgage banking industry has used information technology to reduce costs for "back-office" and retail operations, but it continues to use paper-based methods to record and track mortgage rights. The tremendous amount of required manual intervention and paper processing that currently exists also perpetuates significant inefficiencies in document custody, loan and pool certification, and lien release processing activities.

Based upon benefits realized from registry systems in other industries and validation that benefits are also realizable from a registry system in the mortgage banking industry, representatives from all participants in the mortgage industry concluded that an industry utility should be developed to electronically track the ownership of mortgage rights.

### Overview

MERSCORP Holdings, Inc. ("[\*MERSCORP Holdings\*](#)") owns and operates a national, electronic registry called the MERS® System that tracks changes in [\*Mortgage\*](#) servicing rights and beneficial ownership interests in loans secured by residential real estate.

Mortgage Electronic Registration Systems, Inc. ("[\*MERS\*](#)"), MERSCORP Holdings' wholly-owned subsidiary, acts as the [\*Mortgagee\*](#) in the public land records and as [\*Nominee\*](#) for the [\*Lender\*](#) and its successors and assigns. In order to originate a loan



with MERS as the original Mortgagee, the [Originating Organization](#) must be a MERS® System Member. At closing, the borrower and Lender agree to name MERS as Mortgagee on the Mortgage. The Lender then records the Mortgage in the public land records and registers the loan information on the MERS® System.

MERS serving as the Mortgagee, in conjunction with use of the MERS® System, largely eliminates the need for subsequent mortgage [Assignments](#), thereby improving the process and reducing the cost to transfer and track the changes in mortgage rights and increasing the efficiency of the [Lien Release](#) process.

---

Note: The MERS® System is neither a legal [System of Record](#) nor a replacement for the public land records. Mortgage servicing rights and beneficial ownership interests **are not** transferred on the system; they are only tracked.

---

The following activities must occur to use the Registry:

**Assign a Mortgage Identification Number (MIN) to each loan being registered on the MERS® System.**

This MIN is a unique life-of-loan number that cannot be duplicated or reused. The MIN is 18 numeric digits. The first 7 digits represent the Organizational Identification Number of the organization that creates the MIN for the first time. The next 10 digits represent a sequential number, which can be the Lender/Servicer's existing loan number. This number can never be reused. The last digit is a check digit using the Mod 10 Weight 2 Algorithm. Although each component of the MIN is separated by a hyphen (-) when displayed on the system, the hyphens are not part of the 18-position field length. A MIN assigned to a loan and registered on the MERS® System never changes over the life of the loan. If a loan is transferred from one company to another on the MERS® System, the seven-digit Organizational ID number of the company that currently owns the loan changes, but the original 18-digit MIN remains unchanged.

For a more detailed discussion of generating MINs, please see the [MERS® Integration Handbook Volume II: Technical Integration Environment](#).

Over time, it is conceivable that the MIN may replace the numerous loan numbering systems that exist today.

**Register the loan on the MERS® System.**

- MERS® System Members register loans on the MERS® System through [MERS® OnLine](#) or through a system-to-system interface with the MERS® System. Members provide pertinent ownership and security interest information along with certain loan and property-related information when registering loans. The MIN is one of the data elements required for registration. For a list of required and optional data elements for registration, please see the [MERS® System Integration Handbook Volume II: Technical Integration Environment](#).

For loans with Mortgage Electronic Registration Systems, Inc. (MERS) as the Mortgagee/Beneficiary:



- Members establish MERS in the applicable public land records (e.g., county land records) as the mortgagee of record or beneficiary to the Deed of Trust, either through assignment to MERS or by recording a MERS as Original Mortgagee (MOM) Security Instrument.
- Each MERS® System Member that registers loans has the responsibility of ensuring that MERS is established as the Mortgagee/Beneficiary in the applicable public land records according to the [MERS® System Procedures Manual](#).
- The note must **not** contain an endorsement to MERS.
- Legal research has confirmed that MERS as mortgagee/beneficiary works in all U.S. jurisdictions.

Registration of loans where Mortgage Electronic Registration Systems, Inc. (MERS) is not the Mortgagee or Beneficiary is also available:

- This is called an iRegistration. Status changes and transfers between MERS® System Members are still tracked on the MERS® System, but the MERS as mortgagee language is not used on any documents. One important distinction for iRegistration loans is that Members are not required to report foreclosure activity on these loans in the MERS® System.

**Reflect subsequent transfers of beneficial ownership and release of parties on the MERS® System.**

- Once the loan is registered on the MERS® System, Members track changes of beneficial ownership interests using the MERS® System. If the loan is sold, servicing rights are transferred, the loan is foreclosed, or other changes to its status occur, Members reflect those changes in the information maintained on the MERS® System. All related Members (for example, Investors and Warehouse Lenders) are able to track changes in the loan information and ensure that their positions are properly maintained.

Various entities are permitted to have access to information maintained on the MERS® System on a "need-to-know" basis:

- MERS® System Members have full access to information for loans on which they are named as a rights holder, and limited access to information for loans on which they are not named as a rights holder
- MERS® System Members and MERS® Link Subscribers have access to Servicer, Subservicer, and Property Preservation contacts for all MERS® System registered loans through the MERS® Link application
- The general public has access to the MIN, active or inactive status, and Servicer Name and telephone number for all MERS® System registered loans through the MERS® ServicerID application and the telephone Servicer Identification System

The MERS® System provides benefits to all participants in the mortgage finance industry. By transforming various paper-based, error-prone processes of transferring ownership rights to an electronic environment, the MERS® System saves the industry millions of dollars annually, because the MERS® System:

# **EXHIBIT**

**C**

## LIEN RELEASE

to me, Linda, LIEN

Good Morning,

What do you looking for us to confirm? M&T Bank does have signing authority for Hudson City Savings Bank but we have not been provided anything showing this loan was serviced by Hudson City Savings Bank.

We have advised that we have no record of this loan or property address being serviced by M&T. The attached mortgage previously provided is not linked to M&T. We cannot assist with the request unless you have a recorded assignment to M&T bank or an entity that M&T Bank has signing authority for. We suggest working with your title agent to find out who may have signing authority for this loan.

### Summary

MIN	1001968-0003043787-0	MIN Status	Inactive
Address	600 WEST LONNQUIST MOUNT PROSPECT, IL 60056		
MOM Indicator	MOM	Lien Type	First Lien
Reg Date	01/03/2006		
County/Place	Cook County	Owner Occupied	N/A
Primary Borrower	SEVILLA, PABLO		
Note Amount	\$465,000.00	Note Date	12/21/2005
Servicer	9999999 - Non-MERS Member	Subservicer	N/A

Thank You,

Lien Release Team  
1 Fountain Plaza, 4<sup>th</sup> Floor  
Buffalo, NY 14203  
Fax-1-844-579-9794

**M&T Bank**





**RE: Pablo Sevilla/ 600 W Lonquist Blvd., Mount Prospect, IL 60056**

1 message

**LIEN RELEASE** <LIENRELEASE@mtb.com>  
To: Linda Sevilla <lindycity500@gmail.com>  
Cc: LIEN RELEASE <LIENRELEASE@mtb.com>

Wed, Jun 7, 2023 at 9:21 AM

Good Morning,

We can not review a request without a recorded mortgage and title report. The previous mortgage provided in the attached email originated with Home Loan Center, Inc, dba Lending Tree Loans in 2005 and was assigned to Countrywide Home Loans Servicing LP in 2011. Neither document mentions Hudson City Savings Bank. We have no record of the loan number you provided (0116902173) or servicing this property address. The lender who was paid in full will need to release the lien. M&T can not release a lien in the name of another lender.

Thank You,

Lien Release Team

1 Fountain Plaza, 4<sup>th</sup> Floor

Buffalo, NY 14203

Fax-1-844-579-9794

**M&T Bank**

**From:** Linda Sevilla <lindycity500@gmail.com>  
**Sent:** Tuesday, June 6, 2023 5:21 PM  
**To:** LIEN RELEASE <LIENRELEASE@mtb.com>  
**Subject:** Re: Pablo Sevilla/ 600 W Lonquist Blvd., Mount Prospect, IL 60056

**External Email: Use caution & trust the source before clicking links or opening attachments.**

Good afternoon,

Hudson City Savings Bank informed me that M&T Bank is the owner and holder of this note and mortgage, but I found out that this note is held by FNMA, so I need you to please release your lien on this property. If M&T does not have this note and mortgage, please provide that information.

Thank you,

Pablo Sevilla

----- Forwarded message -----

From: LIEN RELEASE <[LIENRELEASE@mtb.com](mailto:LIENRELEASE@mtb.com)>

Date: Mon, Jun 5, 2023, 10:07 AM

Subject: RE: Pablo Sevilla/ 600 W Lonquist Blvd., Mount Prospect, IL 60056

To: Linda Sevilla <[lindacity500@gmail.com](mailto:lindacity500@gmail.com)>

Cc: LIEN RELEASE <[LIENRELEASE@mtb.com](mailto:LIENRELEASE@mtb.com)>

Good Morning,

Thank you for your lien release inquiry.

In order to review your request in full, we need full, complete copies of the following items:

- Title Report/ Abstract/ Commitment showing the open lien (full property address must also be listed in document)
- Recorded loan documents (mortgages, any assignments, etc.), if applicable

If you are working with a third party (Title Agent, Attorney, etc.), we are happy to work with them directly as they should have documents we're requesting. They can email us directly at [lienrelease@mtb.com](mailto:lienrelease@mtb.com)

Note: We cannot proceed with our review of this request until the above items are received. Our standard timeframe for review and completion, if the lien can be released, is approximately 15 business days.

Thanks,

Lien Release Team

Fax-1-844-579-9794

the information contained in the transmission. If you received this communication in error, please contact the sender immediately and destroy the material in its entirety, whether electronic or hard copy. This communication may contain nonpublic personal information about consumers subject to the restrictions of the Gramm-Leach-Bliley Act and the Sarbanes-Oxley Act. You may not directly or indirectly reuse or disclose such information for any purpose other than to provide the services for which you are receiving the information. There are risks associated with the use of electronic transmission. The sender of this information does not control the method of transmittal or service providers and assumes no duty or obligation for the security, receipt, or third party interception of this transmission.

----- Forwarded message -----

From: "cyndearae moneyandcredit.biz" <cyndearae@moneyandcredit.biz>  
To: LIEN RELEASE <LIENRELEASE@mtb.com>  
Cc:  
Bcc:  
Date: Tue, 10 Jan 2023 19:59:30 +0000  
Subject: PABLO SEVILLA/600 WEST LONNQUIST

**External Email: Use caution & trust the source before clicking links or opening attachments.**

Here is the original mortgage and the recorded assignment. Thank you for your research to release this lien.

**Cyndee Rae**  
Expert Solution Products  
Anderson, South Carolina 29621  
Office: (864) 844-9401

**From:** Thurmond, DeVita <dthurmond@mtb.com> on behalf of LIEN RELEASE <LIENRELEASE@mtb.com>  
**Sent:** Monday, January 9, 2023 9:00 AM  
**To:** cyndearae moneyandcredit.biz <cyndearae@moneyandcredit.biz>  
**Cc:** LIEN RELEASE <LIENRELEASE@mtb.com>  
**Subject:** RE: Acct #0116902173

Good Morning

Thank you for your lien release inquiry.

In order to review your request in full, we need full, complete copies of the following items:

- Title Report/ Abstract/ Commitment showing the open lien (full property address must also be listed in document)
- Recorded loan documents (mortgages, any assignments, etc.), if applicable

If you are working with a third party (Title Agent, Attorney, etc.), we are happy to work with them directly as they should have documents we're requesting. They can email us directly at [lienrelease@mtb.com](mailto:lienrelease@mtb.com)

**Note:** We cannot proceed with our review of this request until the above items are received. Our standard timeframe for review and completion, if the lien can be released, is approximately 15 business days.

Thanks,

Lien Release Team

1 Fountain Plaza, 4<sup>th</sup> Floor

Buffalo, NY 14203

Fax-1-844-579-9794

**M&T Bank**



**From:** cyndeerae [moneyandcredit.biz](mailto:cyndeerae@moneyandcredit.biz) <cyndeerae@moneyandcredit.biz>  
**Sent:** Friday, January 6, 2023 2:53 PM  
**To:** MORTGAGE SERVICE <[mtgservice@mtb.com](mailto:mtgservice@mtb.com)>  
**Subject:** Acct #0116902173

**External Email:** Use caution & trust the source before clicking links or opening attachments.

Please provide us a release of the lien on the property at 600 W Lonnquist Blvd, Mount Prospect, IL 60056. The debt has been paid and the release is over due. Please forward the required paperwork to Fax: 602-697-8554.

**Sevilla**

Office: (864) 844-9401

This email may contain privileged and/or confidential information that is intended solely for the use of the addressee. If you are not the intended recipient or entity, you are strictly prohibited from disclosing, copying, distributing or using any of the information contained in the transmission. If you received this communication in error, please contact the sender immediately and destroy the material in its entirety, whether electronic or hard copy. This communication may contain nonpublic personal information about consumers subject to the restrictions of the Gramm-Leach-Bliley Act and the Sarbanes-Oxley Act. You may not directly or indirectly reuse or disclose such information for any purpose other than to provide the services for which you are receiving the information. There are risks associated with the use of electronic transmission. The sender of this information does not control the method of transmittal or service providers and assumes no duty or obligation for the security, receipt, or third party interception of this transmission.



**From:** Linda Sevilla <lindacity500@gmail.com>  
**Sent:** Friday, June 2, 2023 4:53 PM  
**To:** LIEN RELEASE <LIENRELEASE@mtb.com>  
**Subject:** Pablo Sevilla/ 600 W Lonquist Blvd., Mount Prospect, IL 60056

**External Email:** Use caution & trust the source before clicking links or opening attachments.

TO:

Lien Release Team  
1 Fountain Plaza, 4th Floor  
Buffalo, NY 14203

Re: Loan Account  
#0116902173

Fax: 1-844-579-9794

Dear Sir or Madam:

Please provide me a release of the lien on the property located at 600 W Lonquist Blvd., Mount Prospect, IL 60056. The debt has been paid and the release is over due.

Please forward the required paperwork to Fax: 602-926-2570, or to the above email.

Thank you for your assistance with the above and I look forward to your soonest reply.

Sincerely,

Pablo Sevilla

This email may contain privileged and/or confidential information that is intended solely for the use of the addressee. If you are not the intended recipient or entity, you are strictly prohibited from disclosing, copying, distributing or using any of



Linda Sevilla &lt;lindycity500@gmail.com&gt;

**RE: Pablo Sevilla/ 600 W Lonquist Blvd., Mount Prospect, IL 60056****LIEN RELEASE** <LIENRELEASE@mtb.com>

Wed, Jun 7, 2023 at 9:18 AM

To: Linda Sevilla &lt;lindycity500@gmail.com&gt;

Cc: LIEN RELEASE &lt;LIENRELEASE@mtb.com&gt;

Good Morning,

We can not review a request without a recorded mortgage and title report. The previous mortgage provided in the attached email originated with Home Loan Center, Inc, dba Lending Tree Loans in 2005 and was assigned to Counrtywide Home Loans Servicing LP in 2011. Neither document mentions Hudson City Savings Bank. We have no record of the loan number you provided (0116902173) or servicing this property address. The lender who was paid in full will need to release the lien. M&T can not release a lien in the name of another lender.

Thank You,

Lien Release Team

1 Fountain Plaza, 4<sup>th</sup> Floor

Buffalo, NY 14203

Fax-1-844-579-9794

[Quoted text hidden]

----- Forwarded message -----

From: "cyndeerae moneyandcredit.biz" &lt;cyndeerae@moneyandcredit.biz&gt;

To: LIEN RELEASE &lt;LIENRELEASE@mtb.com&gt;

Cc:

Bcc:

Date: Tue, 10 Jan 2023 19:59:30 +0000

Subject: PABLO SEVILLA/600 WEST LONNQUIST

**External Email:** Use caution & trust the source before clicking links or opening attachments.

Here is the original mortgage and the recorded assignment. Thank you for your research to release this lien.

**Cyndee Rae**

Expert Solution Products

Anderson, South Carolina 29621

Office: (864) 844-9401

**From:** Thurmond, DeVita <dthurmond@mtb.com> on behalf of LIEN RELEASE <LIENRELEASE@mtb.com>**Sent:** Monday, January 9, 2023 9:00 AM**To:** cyndeerae moneyandcredit.biz <cyndeerae@moneyandcredit.biz>**Cc:** LIEN RELEASE <LIENRELEASE@mtb.com>**Subject:** RE: Acct #0116902173



Good Morning

Thank you for your lien release inquiry.

In order to review your request in full, we need full, complete copies of the following items:

- Title Report/ Abstract/ Commitment showing the open lien (full property address must also be listed in document)
- Recorded loan documents (mortgages, any assignments, etc.), if applicable

If you are working with a third party (Title Agent, Attorney, etc.), we are happy to work with them directly as they should have documents we're requesting. They can email us directly at [lienrelease@mtb.com](mailto:lienrelease@mtb.com)

Note: We cannot proceed with our review of this request until the above items are received. Our standard timeframe for review and completion, if the lien can be released, is approximately 15 business days.

Thanks,

Lien Release Team

1 Fountain Plaza, 4<sup>th</sup> Floor

Buffalo, NY 14203

Fax-1-844-579-9794

**M&T Bank**

**From:** cyndeerae [moneyandcredit.biz](mailto:moneyandcredit.biz) <[cyndeerae@moneyandcredit.biz](mailto:cyndeerae@moneyandcredit.biz)>

**Sent:** Friday, January 6, 2023 2:53 PM

**To:** MORTGAGE SERVICE <[mtgservice@mtb.com](mailto:mtgservice@mtb.com)>

**Subject:** Acct #0116902173

External Email: Use caution & trust the source before clicking links or opening attachments.

Please provide us a release of the lien on the property at 600 W Lonquist Blvd, Mount Prospect, IL 60056. The debt has been paid and the release is over due. Please forward the required paperwork to Fax: 602-697-8554.

**Sevilla**

Office: (864) 844-9401


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**3 attachments**

 **1134208276 Assignment of Mortgage.pdf**  
615K

10/18/23, 3:05 AM

Gmail - RE: Pablo Sevilla/ 600 W Lonquist Blvd., Mount Prospect, IL 60056

 **0600945132 mortgage.pdf**  
8662K

 **PABLO SEVILLA/600 WEST LONNQUIST.eml**  
12733K

# **EXHIBIT**

**D**

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

In Re:	Case No. 22-04870
Pablo Fernando Sevilla,  Debtor.	Chapter 13 Plan filed on May 24, 2022 Affidavit In Support of The Non-Ownership and Non-participation of Manufacturers and Traders Trust Company ("M&T Bank") in this Bankruptcy as This Claimed Loan Was Not Involved In Any Mergers of M&T Bank and Hudson City Savings Bank, FSB

**AFFIDAVIT IN SUPPORT OF THE NON-OWNERSHIP AND NON-PARTICIPATION OF  
*MANUFACTURERS AND TRADERS TRUST COMPANY ("M&T BANK")* IN THIS  
BANKRUPTCY AS THIS CLAIMED LOAN WAS NOT INVOLVED IN ANY MERGERS OF  
*M&T BANK AND HUDSON CITY SAVINGS BANK, FSB***

Now comes Cyndee Rae Estrada, on oath, and deposes and states as follows:

1. I, Cyndee Rae Estrada, am the HUD Counselor and Expert Witness for Pablo Sevilla in Bankruptcy Case No. 22- 04870.
2. I am at least 18 years of age and of sound mind.
3. Attached you will find my Curriculum Vitae in support of my 22 plus years in the banking industry. I have had over ten years of legal training in the area of loan origination, lending, servicing, as a HUD Counselor, working with the Securities and Exchange Commission and as an Expert Witness in cases across the Country.
4. I make this affidavit based on personal knowledge revealed to me as I requested evidence of the events that took place before, after and during the time that Mr. Pablo Sevilla received a loan from *HOME LOAN CENTER, INC, dba LENDING TREE LOANS*, a California Corporation, on December 21, 2005.

5. I have personally researched the events and accountings of M&T Bank with their servicing department for information regarding the payments made to M&T Bank on behalf of Mr. Sevilla.
6. It is imperative to understand that M&T does not hire other banks to service their loans. It was adamantly pointed out and explained to me that Bank of America would never service loans for M&T Bank.
7. The reason and proof that M&T Bank did not hire Bank of America to service the asserted loan for M&T Bank is the fact that M&T Bank has not receive one single penny from any of the money that Mr. Sevilla paid to B of A for this asserted loan.
8. M&T Bank has not received one single penny from the monies collected "on its behalf" before or during the pendency of this bankruptcy for which Bank of America has received thousands of dollars from Mr. Sevilla.
9. While servicing this claimed loan, Bank of America has forwarded not a single penny to M&T Bank in payment of a loan of any kind. Neither Manufacturer's and Traders Trust Company or M&T Bank is the owner or holder of the Note referenced in the falsified Proof of Claim filed by Bank of America.
10. It was adamantly explained to me that there were no loans that were acquired from Hudson City Savings Bank ("HCSB") when HCSB went out of business. At one time, M&T did have some servicing involvement with some of the HCSB loans in the states that M&T was licensed to work through, and Illinois was not one of the states included in this relationship. After the close of HCSB, M&T did not purchase or acquire loans that HCSB had in their inventory of loans.
11. M&T could find no records that Hudson City had this asserted loan in their inventory of loans.
12. In fact, M&T Bank can find no evidence of ever having any information or ownership, or servicing rights for the claimed loan that was provided to Mr. Sevilla. That connection has never been presented or established as Illinois is out of the service area of *Hudson City Savings Bank* ("HCSB"), as well as out of the area of service for *M&T Bank* at the time, and before, that *HCSB* went out of business.



13. On November 6, 2023 I knew that Mr. Sevilla flew to Buffalo, New York to the corporate offices of M&T Bank where he met with different executives from the location One M&T Plaza in Buffalo, NY.
14. I spoke to Brooke Douglas, Assistant Vice President, while Mr. Sevilla was at the bank. No one, nor individuals in any departments, were able to find any records of a mortgage or other type of claimed loan in the name or at the address of Mr. Sevilla. There were no records for Mr. Sevilla's property address or claimed loan number in their system.
15. They contacted their mortgage department who confirmed that M&T does not have any documentation proving that Mr. Pablo Sevilla has a mortgage or loan owned or serviced by the M&T Bank.
16. When I explained about the bankruptcy case and the Proof of Claim, Ms. Douglas could only explain that the Proof of Claim presented by the alleged lawyers who represent M&T could never be valid. M&T would never present a fraudulent claim such as the one I referenced, as there was no loan to request a payment for M&T. There is no obligation that Mr. Sevilla has to pay to M&T.
17. I was told that there was an employee, Ms. Ashorobi, who was going to contact M&T Bank Legal Department since there are no records indicating that M&T has hired lawyers to represent the bank in this case. Also, there are also no records that Bank of America is servicing this account, since there is no such account in their system.
18. I was told that the best way to get information was to subpoena the bank directly and I told her that we did that already.
19. Ms. Douglas indicated that if M&T Bank is subpoenaed, Mrs. Douglas and Ms. Ashorobi, or the other bank individuals that have been contacted and they can appear in court to confirm that M&T does not have any claims against Mr. Pablo Sevilla or the property listed in this case.
20. I make this declaration and affidavit to prove that since there are no records that show a loan for Mr. Sevilla, and the M&T bank personnel can never confirm that Mr. Sevilla is a borrower with *M&T Bank*, the personnel at *M&T Bank* can speak to any

person who calls them as they are unrepresented by any attorneys involved in an Illinois bankruptcy, and who ever calls will be told the same thing that I am being told. The bankruptcy Judge and the bankruptcy Trustee must become aware that there is no obligation to M&T bank that Mr. Sevilla has to pay in his bankruptcy or to pay back any loan at all.

21. I make this declaration and affidavit as the malicious and outrageous misrepresentations regarding the party entitled to enforce the loan originated in favor of HOME LOAN CENTER, INC, dba LENDING TREE LOANS and Mr. Sevilla is not now owed to either *M&T Bank* or *Bank of America, NA*.

22. I make this declaration and affidavit to ensure that the true party in interest will be brought into this case and all interlopers and imposters will be told to remove themselves from this bankruptcy case.

I, Cyndee Rae Estrada, under penalty of perjury, make the above statements and swear they are true and correct and will be prepared to testify to these facts if required.

Dated: November 8, 2023

Cyndee Rae Estrada  
Cyndee Rae Estrada

EXHIBITS:

- Emails from M&T Bank
- Letter from M&T Bank
- Business card from M&T Bank received while Mr. Sevilla was in Buffalo, NY.

FW: Pablo Fernando Sevilla

Inbox

Search for all messages with label Inbox

Remove label Inbox from this conversation



Ashorobi, Zene <[zashorobi@mtb.com](mailto:zashorobi@mtb.com)>

Mon, Nov 6,  
2:11 PM (2 days  
ago)

to me

Hey Pablo this is the info we got from the mortgage department.

**From:** Douglas, Brooke <[bdouglas@mtb.com](mailto:bdouglas@mtb.com)>

**Sent:** Monday, November 6, 2023 3:05 PM

**To:** Ashorobi, Zene <[zashorobi@mtb.com](mailto:zashorobi@mtb.com)>

**Subject:** FW: Pablo Fernando Sevilla

**From:** White, Meladie <[mmwhite@mtb.com](mailto:mmwhite@mtb.com)> **On Behalf Of** MORTGAGE SERVICE

**Sent:** Monday, November 6, 2023 2:53 PM

**To:** Douglas, Brooke <[bdouglas@mtb.com](mailto:bdouglas@mtb.com)>

**Subject:** RE: Pablo Fernando Sevilla

Hello,

Thank you for your inquiry.

I am unable to locate a Mortgage account with the information you provided.

If you have any further questions or concerns, please feel free to contact our Customer Service Department at 1-800-724-2224.

Sincerely,

Meladie White  
Mortgage Customer Support  
Retail Loan Servicing

**From:** Douglas, Brooke <[bdouglas@mtb.com](mailto:bdouglas@mtb.com)>

**Sent:** Monday, November 6, 2023 2:11 PM



**To:** MORTGAGE SERVICE <[mtgservice@mtb.com](mailto:mtgservice@mtb.com)>  
**Cc:** Ashorobi, Zene <[zashorobi@mtb.com](mailto:zashorobi@mtb.com)>  
**Subject:** Pablo Fernando Sevilla

Good Afternoon,

Are you able to locate a mortgage for an individual with the name Pablo Fernando Sevilla? The branch is unable to locate a mortgage for the customer and we are looking for confirmation.

Thank you,  
Brooke Douglas  
Assistant Vice President | M&T Bank  
One M&T Plaza Branch | Branch Manager  
716-842-4457  
[bdouglas@mtb.com](mailto:bdouglas@mtb.com) | [www.mtb.com](http://www.mtb.com)  
NMLS ID #1793528

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345 Main Street, Buffalo, NY 14203

November 6th, 2023

To Pablo Sevilla:

As of November 6<sup>th</sup>, 2023 you have no retail deposit accounts with M&T Bank.

Regards,

A handwritten signature in black ink that reads "Brooke Douglas". The signature is written in a cursive, flowing style.

Brooke Douglas

Assistant Vice President | M&T Bank

One M&T Plaza Branch | Branch Manager

716-842-4470

**M&T Bank**

**Brooke Douglas**  
Assistant Vice President  
Branch Manager

**NMLS #1793528**

**716 842 4457**  
**716 842 5280** FAX  
**bdouglas@mtb.com**

**One M&T Plaza Branch**  
**345 Main Street**  
**Buffalo, NY 14203**



**RE: Pablo Sevilla/ 600 W Lonquist Blvd., Mount Prospect, IL 60056**

**LIEN RELEASE** <LIENRELEASE@mtb.com>  
To: Linda Sevilla <lindacity500@gmail.com>  
Cc: LIEN RELEASE <LIENRELEASE@mtb.com>

Wed, Jun 7, 2023 at 9:21 AM

Good Morning,

We can not review a request without a recorded mortgage and title report. The previous mortgage provided in the attached email originated with Home Loan Center, Inc, dba Lending Tree Loans in 2005 and was assigned to Countywide Home Loans Servicing LP in 2011. Neither document mentions Hudson City Savings Bank. We have no record of the loan number you provided (0116902173) or servicing this property address. The lender who was paid in full will need to release the lien. M&T can not release a lien in the name of another lender.

Thank You,

Lien Release Team

1 Fountain Plaza, 4<sup>th</sup> Floor

Buffalo, NY 14203

Fax-1-844-579-9794

**M&T Bank**

**From:** Linda Sevilla <lindacity500@gmail.com>  
**Sent:** Tuesday, June 6, 2023 5:21 PM  
**To:** LIEN RELEASE <LIENRELEASE@mtb.com>  
**Subject:** Re: Pablo Sevilla/ 600 W Lonquist Blvd., Mount Prospect, IL 60056

External Email: Use caution & trust the source before clicking links or opening attachments.

Good afternoon,

**cCyndee Rae Estrada**  
**Expert Solution Products**  
(864) 844-9401  
(602) 926-2570 facsimile)  
info@moneyandcredit.biz

### **Curriculum Vitae**

I have over 21 years experience in origination of residential, commercial and construction mortgages, deeds of trust, notes, secondary market purchases, Securities and Exchange Trusts, securitization and servicing for all the residential and commercial markets. I have originated and serviced notes with in my own company, four different bankers and independent brokers and handled all aspects of personally financing, commercial financing, receivable funding and hard- money notes. During the course of my career, I have wholesaled loans for and was directly paid by JPMorgan Chase, Chase Manhattan Bank, Chevy Chase Bank, U.S. Bank, N.A, Wells Fargo Bank, N.A., Bank of America, Countrywide Bank, N.A., Countrywide Sub-Prime, Countrywide Home Loans, Freedom Financial, FHA, VA, Washington Mutual, Citibank, CIT Group, SunTrust, Crestar, SBA, BayView, numerous commercial lenders and many others. I have been qualified as an Expert Witness to testify in all 50 states and have testified across the country in State, District, Federal, Superior and Bankruptcy courts.

As a banking/broker representative for the Housing Coalition, an organization analyzing solutions to the nations housing concerns, she has developed close relationships with advisors and employees of the CFPB, Securities and Exchange Commission, FDIC resolution group in Dallas, Texas, the Treasury Department, various Attorney Generals across the country, the FBI, State Departments of Finance, Department of Housing and Urban Development, direct communications with vice presidents of international Trust Companies such as Deutsche Bank and Bank of New York Mellon, and has participated in banking committees as “eyes and ears on the street” for evaluations of consumer programs.

Member and Advisor to the Homeowner’s Advocacy Group run by Monique Wilhite with the ASU Sandra Day O’Connor School of Law – Representing Homeowners in multiple Bankruptcy Cases

Acknowledged as an Expert by Federal Bankruptcy Court CHIEF JUDGE COLLINS

Advisor to the HARDEST HIT FUND distribution program delegated by the Governor and Attorney General’s Office in Arizona.

### **Professional Experience:**

2020 on going – Engagement contracts as both an advisor and expert across the U.S. involving over 28 judicial and non-judicial foreclosure cases, along with several bankruptcy cases involving properties and the reorganization of debt. The purpose; to provide clarification on the subjects of Notes and Mortgages/Deeds of Trusts from origination through the buying and selling of these, and other debt instruments, as they are sold and acquired as investment properties. I have been working closely with the Securities and Exchange Commission to explain and define the securitization practices and what they mean to the entire industry, including lenders, investors and



borrowers. These are areas of understanding that for over 18 years I have been involved in and acquired licensing in areas of Notes, Mortgage and Deed of Trust law. Knowledge of the characteristics of the creation and function of the instruments of debt and security is imperative when examining the Rules, Regulations, Laws and requirements related to ownership and lawful transfer. These principles and standards need to be relayed to the appropriate parties when a foreclosure is pending.

In March 2021, I effectively provided testimony evidence for *Dominick Ferritto against Deutsche Bank National Trust Company as Trustee for Harborview Mortgage Loan Trust 2006-14, Mortgage Loan Pass-Through Certificates, Series 206-14 v Dominick Alan Ferritto, etal*, 18-CA-006528, Hillsborough County, Florida.

2019 – Engagement contracts as both an advisor and expert across the U.S. involving over 48 judicial and non-judicial foreclosure cases, along with over 14 bankruptcy cases involving properties including in the reorganization of debt. The purpose; to provide clarification on the subjects of Notes and Mortgages/Deeds of Trusts from origination through the buying and selling of these, and other debt instruments, as they are sold and acquired as investment properties. It is an area of understanding that for over 18 years I have been involved in and acquired licensing in areas of Notes, Mortgage and Deed of Trust law. Knowledge of the characteristics of the creation and function of the instruments of debt and security is imperative when examining the Rules, Regulations, Laws and requirements related to ownership and lawful transfer. These principles and standards need to be relayed to the appropriate parties when a foreclosure is pending.

2019-4-10 - Ordered to attend *Daubert*<sup>1</sup> hearing to determine the admissibility of expert testimony. Ruled by the Honorable Michael E. Romero to be a Qualified Expert to appear in Federal Court as an Expert Witness and determined that testimony by Ms. Estrada is admissible under F.R.E. 602.

2018- (from 2011)  
Expert Witness  
Nationwide

2018 (from 2011) -  
R & B Mortgage Source, LLC  
Licensed Loan  
Originator/Analyst Paradise  
Valley, AZ

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<sup>1</sup> *Daubert v. Merrell Dow Pharm, Inc* 509 U.S. 578, 113 S.Ct. 2786, 125 L.Ed.2d 469 (1993); *Etherton v. Owners Ins. Co*, 829 F.3d 1209, 1217 (10<sup>th</sup> Cir. 2016) ("Rule 702 imposes a gate keeping function on district courts to ensure expert testimony is admitted only if it is relevant and reliable.") *see also In re Blair*, 588. B.R. 605, 610-11 (Bankr. D. Colo. 2018).

2017 – Engagement contracts across the U.S. involving over 40 judicial foreclosures cases and non-judicial foreclosure cases. Also, over 20 bankruptcy cases involving properties in foreclosure. The purpose, to provide accurate characterization of Notes, Deeds of Trust and Mortgage situations.  
Expert Witness, Consultant

2016 - Engagement with DNA-People's Legal Services,  
Inc Navajo Nation

2016 – Engagement with Sandra Day O'Connor School of Law –  
A.S.U. HOMEOWNER ADVOCACY PROJECT  
Arizona State University (chosen by the Dean of the  
School) Expert Witness  
Arizona Federal Court Cases

2013 (from 2000) - 2017  
Corporate Capital & Consulting  
Owner/Operator  
Phoenix, Arizona

2008 - 2009  
Gold Mortgage  
Loan Analyst  
Phoenix,  
Arizona

2003 - 2008  
Olympic  
Mortgage Loan  
Analyst  
Phoenix,  
Arizona

2001 - 2003  
Allstate  
Mortgage  
Loan Analyst  
Mesa, Arizona

1993 - 2000  
International Profit Associates  
Southwest Regional Manager  
Buffalo Grove, Illinois

Certifications:

2020 - 2021 - Renewed License as a Loan  
Originator Department of Financial  
Institutions State of Arizona

Including:

- Federal and State Law (1-yr course)
- Non Traditional Mortgage Products Reverse and Subprime Mortgages (1-yr )
- Safety and Ethics: Red Flags for the MLO (1-year course)
- Federal Laws and Regulations (1-yr course)
- State Elective: Licensing and Regulations for the AZ MLO (1-yr course)

2019 - Renewed License as a Loan  
Originator Department of Financial  
Institutions State of Arizona

Including:

- Federal and State Law (1-yr course)
- Non Traditional Mortgage Products Reverse and Subprime Mortgages (1-yr)
- Safety and Ethics: Red Flags for the MLO (1-yr course)
- Federal Laws and Regulations ( 1-yr course)
- State Elective: Licensing and Regulations for the AZ MLO (1-yr course)

2018 - Renewed License as a Loan Originator  
Department of Financial Institutions  
State of Arizona

Including:

- Federal and State Law ( 1-yr course)
- Non Traditional Mortgage Products Reverse and Subprime Mortgages ( 1-yr)
- Safety and Ethics: Red Flags for the MLO ( 1-yr course)
- Federal Laws and Regulations (1-yr course)
- State Elective: Licensing and Regulations for the AZ MLO ( 1-yr course)

2017 - Renewed License as a Loan Originator  
Department of Financial Institutions  
State of Arizona

Including:

- Federal and State Law (1-yr course)
- Non Traditional Mortgage Products Reverse and Subprime Mortgages (1-yr)
- Safety and Ethics: Red Flags for the MLO ( 1-yr course)
- Federal Laws and Regulations (1-yr course)
- State Elective: Licensing and Regulations for the AZ MLO (1-yr course)

2016 - Renewed License as a Loan Originator  
Department of Financial Institutions  
State of Arizona

Including:

- Arizona Law (1-yr course)
- Non Traditional Mortgage Products Reverse and Subprime Mortgages (1-yr )
- Safety and Ethics: Red Flags for the MLO ( 1-yr course)
- Federal Laws and Regulations (1-yr course)
- State Elective: Licensing and Regulations for the AZ MLO ( 1-yr course)

- 2015 - Renewed License as a Loan Originator  
Department of Financial Institutions  
State of Arizona  
Including:
- Non Traditional Mortgage Products Reverse and Subprime Mortgages (1-yr )
  - Safety and Ethics: Red Flags for the MLO (1-yr course)
  - A Year of Impact: Federal Laws and Regulations (1-yr course)
  - State Elective: Licensing and Regulations for the AZ MLO (1-yr course)
- 2014 - On going industry training  
Certification MHA Trusted Advisor
- 2014 - Renewed License as a Loan Originator  
Department of Financial Institutions  
State of Arizona  
AZ Safe Comprehensive: Relevant Practices for the MLO
- Non-Traditional Loan Products (1-yr course)
  - Arizona Mortgage Law (1-yr course)
  - Ethics (1-yr course)
  - Federal Law (1-yr course)
- 2014 – Registered Fannie Mae Trusted Advisor  
Administered by Fannie Mae  
Course Study:
- Home Affordable Modification Program Part 1
  - Home Affordable Modification Program Part 2
  - HAMP Standard and Alternative Modification Waterfalls
  - Unemployment Program for Servicers
  - Home Affordable Foreclosure Alternatives Program for Servicers
  - Second Lien Modification Program (2MP) for Servicers
  - Case Escalations for Servicers
  - Base Net Present Value (NPV)
  - Base NPV v5.02
  - LMSPN Scam Alert: Preventing Loan Modification Scams
  - Understanding the Terms of a HAMP Modification: Interest Rate Step-Up, Impact, and Resources
  - Hardest Hit Fund Overview
  - MHA Tools & Resources for Trusted Advisors
- 2013 - Renewed License as a Loan Originator  
Department of Financial Institutions  
State of Arizona  
AZ Safe Comprehensive: Relevant Practices for the MLO Non-Traditional Loan Products (1-yr course)
- Arizona Mortgage Law (1-yr course)
  - Ethics (1-yr course)
  - Federal Law (1-yr course)



**2012 - Renewed License as a Loan Originator**

**Department of Financial Institutions**

**State of Arizona**

**AZ Safe Comprehensive: Relevant Practices for the MLO**

- Non-Traditional Loan Products (1-yr course)
- Arizona Mortgage Law (1-yr course)
- Ethics (1-yr course)
- Federal Law (1-yr course)

**2011 - Certified Forensic Loan Auditor**

**Accredited by the Mortgage Securitization Auditor**

**National Accreditation - Legal Certification**

**2011 - Renewed License as a Loan Originator**

**Department of Financial Institutions**

**State of Arizona**

**Including:**

- Non-Traditional Loan Products (1-yr course)
- Arizona Mortgage Law (1-yr course)
- Ethics (1-yr course)
- Federal Law (1-yr course)

**2010 - Licensed as a Loan Originator**

**Department of Financial Institutions**

**State of Arizona**

**Including:**

- Non-Traditional Loan Products (1-yr course)
- Arizona Mortgage Law (1-yr course)
- Introduction to Ethics (1-yr course)
- Federal Law (1-yr course)

**2009 - Present**

**HAMP and MHA on-going training and certifications**

**Councilor on Line - National Database for Councilors to share cases and results across socio-economic areas of the United States.**

**2009 - S.A.F.E. Act Requirements**

**Sponsored by the National Association of Mortgage Brokers**

**Including:**

- Identity Theft (Fraud/Ethics) (1-yr course)
- Arizona Mortgage Law (1-yr course)
- Introduction to Ethics (1-yr course)
- Federal Law (1-yr course)
- Non-Traditional Loan Products (1-yr course)
- Mortgage Lending Overview (1-yr course)
- Conducting the Interview (1-yr course)
- Introduction to Appraisal Procedures (1-yr course)
- Review

2014 - 2018 Notary Public, State of Arizona and the County of Maricopa

2010 - 2014 Notary Public, State of Arizona and the County of Maricopa

2006 - 2010 Notary Public State of Arizona and the County of Maricopa

Continuing Education:

2018 - SAFE: Arizona Comprehensive Practical Application for The Informed MLO

Sponsored by AZ School of Real Estate & Business

Arizona Law (1-yr course)

Ethics (1-yr course)

Nontraditional Mortgage Products and Reverse Mortgages (1-yr course)

National Law (1-yr course)

2017 - SAFE: Arizona Comprehensive Practical Application for The Informed MLO

Sponsored by AZ School of Real Estate & Business

Arizona Law (1-yr course)

Ethics (1-yr course)

Nontraditional Mortgage Products (1-yr course)

National Law (1-yr course)

2016 - SAFE: Arizona Comprehensive Practical Application for The Informed MLO

Sponsored by AZ School of Real Estate & Business

Arizona Law (1-yr course)

Ethics (1-yr course)

Nontraditional Mortgage Products (1-yr course)

National Law (1-yr course)

2015 - SAFE: Arizona Comprehensive Practical Application for The Informed MLO

Sponsored by AZ School of Real Estate & Business

Arizona Law (1-yr course)

Ethics (1-yr course)

Nontraditional Mortgage Products (1-yr course)

National Law (1-yr course)

2015 - CFPB online continuing education training courses

2014 - CFPB online continuing education training courses

2014 - SAFE: Arizona Comprehensive Practical Application for The Informed MLO

Sponsored by AZ School of Real Estate & Business

Arizona Law (1-yr course)

Ethics (1-yr course)

Nontraditional Mortgage Products (1-yr course)

Law (1-yr course)

2013 - SAFE: Arizona Comprehensive Practical Application for MLO

Sponsored by AZ School of Real Estate & Business

Arizona Law (1-yr course)  
Ethics (1-yr course)  
Nontraditional Mortgage Products (1-yr course)  
Law (1-yr course)

2013 - Making Home Affordable Act (update courses)  
Sponsored by the Federal National Mortgage Association

2012 - SAFE: Federal Mortgage Law & Regulation (1-yr course)  
Sponsored by CEIS: Continuing Education School of Florida, Inc.  
Approved by the National Mortgage Licensing System

2012 - SAFE: Ethics and Fraud Consumer Protection (1-yr course)  
Sponsored by CEIS: Continuing Education School of Florida, Inc.  
Approved by the National Mortgage Licensing System

2012 - Making Home Affordable Act (update courses)  
Sponsored by the Federal National Mortgage Association

2012 - SAFE: Non Traditional Mortgage (1-yr course)  
Sponsored by CEIS: Continuing Education School Of Florida, Inc.  
Approved by the National Mortgaging Licensing System

2012 - Homeowners' and Lenders' Rights in the AZ Foreclosure Process (1-yr course  
SAFE AZ credit) Sponsored by Advanced Education Systems  
Approved by the Nationwide Mortgage Licensing System and Registry

2011 - Making Home Affordable (update courses)  
Sponsored by the Federal National Mortgage Association

2011 - Arizona Mortgage Loan Originator Course (1-yr course)  
Sponsored by Arizona School of Real Estate & Business  
Including: AZ SAFE Comprehensive Topics for Mortgage Loan Originators  
- Arizona Law (1-yr course)  
- Ethics (1-yr course)  
- Nontraditional Mortgage Products (1-yr course)  
- Law (1-yr course)

2009 - Making Home Affordable Program (HAMP)  
Sponsored by the Federal National Mortgage Association

2007 - Small-Balance Commercial Lending  
Sponsored by Wells Fargo Bank

2005 - M2 Advantage, Real Estate Training Academy  
Sponsored by Wealth Intelligence Academy, Inc.

2004 - HUD sponsored Loss Mitigation Training

2002 - General Real Estate

Sponsored by Arizona School of Real Estate & Business

Presentations:

2015 - Held Mortgage Compliance and Underwriting Classes for Community Legal Services

2004 - 2010 Taught classes in Credit Scoring and First Time Home Buying at Maricopa Community Colleges and non-profit organizations, Neighborhood Housing Services, Greater Phoenix Urban League, and Acorn in Phoenix

Organizations:

2012 - 2013 National Foreclosure Defense Fund Board of Directors Las Vegas, Nevada

2011 - 2013 Member, Glendale Chamber of Commerce

2010 - 2011 Member, Arizona Hispanic Chamber of Commerce

2009 - 2010 Board of Directors, National Association of Hispanic Real Estate Professionals

2003 - 2004 Valle del Sol, Inc., Arizona Latinos, Partners for Success

2000 – on-going Advisory Board Anti-Predatory Lending Practices

Sponsored by Fannie Mae - \$10 million dollar budget

Acknowledged as an Expert Witness by:

Affidavits/Expert Witness Reports/Expert Testimony (including, but not limited to):

Daubert Hearings occur when the validity of an expert's testimony is challenged due to the methodology used to form their opinion prior to a trial. The Daubert standard is the set of criteria used to determine the admissibility of expert witness testimony. When presented with this test the result was the acceptance and inclusion of my testimony and methodology for the Federal Courts. The conclusion is my testimony is qualified as both an Expert and Fact Witness for the purpose of presenting testimony.

Acknowledged as an Expert by Hernando County Florida Judge  
Don Barbee, Jr, Case No. 2017-CA-669DiTech Financial LLC FKA  
Green Tree Servicing LLC v Adalberto Melgar, etal, 4/9/2021

Acknowledged as an Expert by Hillsborough County Florida Judge  
Cheryl K. Thomas CASE NO.: 29-2018-CA-006528 Deutsche Bank National  
Trust Company, As Trustee for Harborview Mortgage Loan Trust 2006-14,  
Mortgage Loan Pass, Through Certificates, Series 2006-14 v, Dominick  
Alan Ferritto, et al. 3/23/2021

Acknowledged as an Expert by Miami-Dade County Florida Judge Thornton

Acknowledged as an Expert by Lee County Florida Judge M.T. McHugh

Acknowledged as an Expert by Maricopa County Superior Court  
Judge Hugh Hegyi



Acknowledged as an Expert by Lee County Circuit Judge Gentile  
Acknowledged as an Expert by Superior Court Judge Talamante  
Acknowledged as an Expert by Federal BK Court CHIEF Judge Collins  
Acknowledged as an Expert by Federal BK Court Judge C. G. Case II  
Acknowledged as an Expert by Federal BK Court Judge Neilson  
Acknowledged as an Expert by Federal Court Judge Ballinger  
Acknowledged as an Expert by Federal Court Judge Ballinger  
Acknowledged as an Expert by New York Superior Court Judge Doran  
Acknowledged as an Expert by District Court Judge Teilborg  
Acknowledged as an Expert by Federal Court Judge Martin  
Acknowledged as an Expert by Sarasota County Circuit Judge Ruhl  
Acknowledged as an Expert by Broward County Circuit Judge Leblond  
Acknowledged as an Expert by Broward County Circuit Judge Hawkins  
Acknowledged as an Expert by Lee County Circuit Judge LaBoda  
Acknowledged as an Expert by Collier County Circuit Judge Haynes  
Acknowledged as an Expert by Palm Beach County Circuit Judge Martz  
Acknowledged as an Expert by Lee County Circuit Judge Reece  
Acknowledged as an Expert by Manatee County Circuit Judge Nicholas  
Acknowledged as an Expert by Monroe County Circuit Judge Koenig  
Acknowledged as an Expert by Broward County Circuit Judge Gundersen  
Acknowledged as an Expert by Twentieth County Circuit Judge Lundy  
Acknowledged as an Expert by Brevard County Circuit Judge Dugan  
Acknowledged as an Expert by Lee County Circuit Judge Krier  
Acknowledged as an Expert by Sarasota County Circuit Judge Hunter  
Acknowledged as an Expert by Federal BK Court Judge Williamson  
Acknowledged as an Expert by Lee County Circuit Judge Shanko  
Acknowledged as an Expert by Broward County Circuit Judge Hora  
Acknowledged as an Expert by Federal Bankruptcy Judge Curley  
Acknowledged as an Expert by Orangeburg County Court of Common Pleas  
Judge Martin Banks  
Acknowledged as an Expert by Honorable Cheryl K Thomas Hillsborough

Acknowledged as an Expert by Federal Bankruptcy Judge Paul Sala

Acknowledged as an Expert by Federal Bankruptcy Judge Michael Romero

Acknowledgment as a Trusted Advisor to Fannie Mae (FNMA) and  
Department of Housing and Urban Development (HUD)

Acknowledged as a Trusted Advisor and Expert Witness for the Sandra  
Day O'Connor College of Law, Arizona State University

### **CASES WHERE QUALIFIED AS AN EXPERT AND PROVIDED TESTIMONY**

ASPEND PROPERTIES GROUP, LLC AS TRUSTEE OF  
APG HOLDINGS REVOCABLE TRUSTE v. Ursula Langley  
Case No. 2018-CA-002083 Heard on 10/25/2023  
Circuit Court of the 20<sup>th</sup> Judicial Circuit, In And For Collier County, Florida  
as an Expert by The Presiding Judge regarding Finance, as a Banker, as a  
HUD representative, Expert Witness pursuant to Mortgages and Secondary  
Market and foreclosure

WILMINGTON TRUST, NA, SUCCESSOR TRUSTEE TO CITIBANK, NA AS  
TRUSTEE F/B/O HOLDERS OF STRUCTURED ASSET MORTGAGE  
INVESTMENTS II INC, BEAR STEARNS ALT-A TRUST 2006-4, MORTGAGE  
PASS-THROUGH CERTIFICATES, SERIES 2006-4 V NANCY MATTHEWS  
Case No.:CACE16-010003 DIV. 11  
Circuit Court of the 17<sup>th</sup> Judicial Circuit for Broward County, Florida  
Acknowledged as an Expert by The Honorable Judge A R Gundersen regarding  
Finance, as a HUD representative, Expert Witness pursuant to Mortgages and  
Secondary Market and foreclosure

Nationstar Mortgage LLC d/b/a Mr. Cooper v Rosa Karanasos  
Index No. 612286/2017  
Supreme Court of the State of New York County of Nassau  
Acknowledged as an Expert by The Presiding Judge Arthur D Spatt  
regarding Finance, as a HUD representative, Expert Witness pursuant to  
Mortgages and Secondary Market and foreclosure

U.S. BANK N.A. AS TRUSTEE, SUCCESSION IN INTEREST TO WACHOVIA BANK,  
N.A. AS TRUSTEE FOR BANC OF AMERICA FUNDING CORPORATION  
MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-F v Tom Keleher  
Case No. 2016-CA-000075  
Circuit Court of the 20<sup>th</sup> Judicial Circuit, Lee County Florida  
Acknowledged as an Expert by The Honorable Judge Geoffrey H. Gentile

regarding Finance, as a HUD representative, Expert Witness pursuant to Mortgages and Secondary Market and foreclosure

JPMorgan Chase Bank, National Association v Billie Kelly

Case No. CACE13001726

The Circuit Court of the 17<sup>th</sup> Judicial Circuit, Broward County, Florida

Acknowledged as an Expert by The Honorable Judge A R Gundersen

regarding Finance, as a HUD representative, Expert Witness pursuant to Mortgages and Secondary Market and foreclosure

Kosi Vs. Littman et al

Case No.:MSC17-00862

Contra Costa Superior Court of California

Acknowledged as an Expert by The Honorable Presiding Judge regarding Finance, as a HUD representative, Expert Witness pursuant to Mortgages and Secondary Market and foreclosure

Deutsche Bank N.A. Trust Co, as Trustee for Soundview Home Loan Trust 2006-OPT5, Asset-Backed Certificates, Series 2006-OPT5 v Francisco LaChapel

Case No.:CACE16001410

Circuit Court of the 17<sup>th</sup> Judicial Circuit for Broward County, Florida

Acknowledged as an Expert by The Honorable Judge A R Gundersen regarding Finance, as a HUD representative, Expert Witness pursuant to Mortgages and Secondary Market and foreclosure

WILMINGTON TRUST, NA, SUCCESSOR TRUSTEE TO CITIBANK, NA AS TRUSTEE F/B/O HOLDERS OF STRUCTURED ASET MORTGAGE INVESTMENTS II INC, BEAR STEARNS ALT-A TRUST 2007-2, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-2 v RICARDO MUSCOLINO

Case No.: 2019-CA-016173

Circuit Court of the 15<sup>th</sup> Judicial Circuit for Palm Beach County, Florida

Acknowledged as an Expert by The Honorable Judge Samantha Schosberg Feuer regarding Finance, as a HUD representative, Expert Witness pursuant to Mortgages and Secondary Market and foreclosure

Deutsche Bank N.A. Trust Co, as Trustee on Behalf of The Certificateholders of Natixis Real Estate Capital Trust 2007-HE2, Mortgage Pass-Through Certificates Series 2007-HE2 v Cheryl A. Lenik, Jerald L Lenik, et al

Case No.:2020-11080-CIDL

Circuit Court of the 7<sup>th</sup> Judicial Circuit for Volusia, County, Florida

Acknowledged as an Expert by The Honorable Judge Kathryn Weston regarding Finance, as a HUD representative, Expert Witness pursuant to Mortgages and Secondary Market and foreclosure

Deutsche Bank National Trust Company, as Trustee for Harborview Mortgage

Loan Trust 2016-14, Mortgage Loan Pass-through Certificates, Series 2006-14  
v Dominic Alan Ferritto  
Case: 18-CA-006528  
Acknowledged as an Expert by Honorable Cheryl K Thomas Hillsborough  
County regarding Finance, as a HUD representative, Expert Witness pursuant to  
Mortgages and Secondary Market and foreclosure

### **Affidavits/Expert Witness Reports**

#### **(Examples including but not limited to):**

In Re: Matter of, MARK A. ESPINOZA Petitioner and SUSANA H. ESPINOZA,  
Respondent  
Case No. FC2014-001047

Acknowledged as an Expert by the Honorable Glenn A. Allen Superior Court  
Arizona, County of Maricopa regarding Finance, as a HUD representative,  
Expert Witness pursuant to Mortgages and Secondary Market

Deutsche Bank National Trust Company, as Trustee for On Behalf of the  
Holders of The Impac Secured Assets Corp., Mortgage Loan Pass-through  
Certificates, Series 2006-4 v George Weber

Case: 19-CA-000814

Acknowledged as an Expert by Honorable Cheryl K Thomas Hillsborough  
County regarding Finance, as a HUD representative, Expert Witness pursuant to  
Mortgages and Secondary Market and foreclosure

MTGLQ Investors LP v Adalberto Melgar

Case: 2017-CA-669

Acknowledged as an Expert by the Circuit Judge Honorable Don Barbee, Jr  
regarding Finance, as a HUD representative, Expert Witness pursuant to  
Mortgages and Secondary Market and foreclosure

In re: Carrie E. Simms Bankruptcy Chapter 13

Case:20-12547-BFK

Acknowledged as an Expert by Alexandria Div, Eastern Dist of VA Judge Brian  
F. Kinney regarding Finance, as a HUD representative, Expert Witness pursuant  
to Mortgages and Secondary Market

In re: Jill Clow Bankruptcy Chapter 13

Case No. 17-13167 MER District of Colorado

Acknowledged as an Expert by the Honorable Michael E. Romero

He ordered me to attend a Daubert hearing to determine the admissibility of  
my expert testimony and he ruled that I was indeed an expert in Finance, as a  
HUD representative, Mortgages and Secondary Market

Federal National Mortgage Assoc v. Ricardo J. Lopez



Case Number: 17-CA-002085

Acknowledged as an Expert by Miami-Dade County Florida Judge Thornton  
Regarding Finance, as a HUD representative, Expert Witness pursuant to  
Mortgages and Secondary Market and foreclosure

MidFirst Bank V Rahat Khan, etal

Civil Action No 2021CP38

Country of Orangeburg South Carolina

Acknowledged as an Expert by the Honorable Judge James Jackson regarding  
Finance, as a HUD representative, Expert Witness pursuant to Mortgages and  
Secondary Market and foreclosure

The Bank of New York Mellon v. Dr.Klaus, Hilda Stiller, etc

Case Number: 18-CA-005307

Acknowledged as an Expert by Lee County Florida Judge M.T. McHugh  
regarding Finance, as a HUD representative, Expert Witness pursuant to  
Mortgages and Secondary Market

In re: Gadi Wavomba Bankruptcy Chapter 13

Case No. 2: 21-05384-BKM

Acknowledged as an Expert by the Honorable Judge B. K. Martin regarding  
Finance, as a HUD representative, Expert Witness pursuant to Mortgages and  
Secondary Market

Lavelle Bridges v. First Tennessee Bank National Assoc, et al.

Case Number: CV 2016-000605

Acknowledged as an Expert by Maricopa County Superior Court Judge Hugh  
Hegy regarding Finance, as a HUD representative, Expert Witness pursuant to  
Mortgages and Secondary Market and foreclosure

U. S. Bank National Association v. Thomas Kelleher

Case Number: 2016-CA-000075

Acknowledged as an Expert by Lee Circuit Judge Gentile  
regarding Finance, as a HUD representative, Expert Witness pursuant to  
Mortgages and Secondary Market and foreclosure

Brown v. Western Progressive, U.S. Bank N.A.

Case Number: 2:15-cv-01493-DLR

Acknowledged as an Expert by Superior Court Judge Talamante regarding  
Finance, as a HUD representative, Expert Witness pursuant to Mortgages and  
Secondary Market and foreclosure

In re: Joaquim, Richard (Chapter 11 Bankruptcy), Arizona

Case Number: 2:10-bk-37930-DPC

Acknowledged as an Expert by Federal BK Court CHIEF Judge Collins  
regarding Finance, as a HUD representative, Expert Witness pursuant to  
Mortgages and Secondary Market

Deutsche Bank National Trust Company as Trustee for New Century Home

Equity Loan Trust Series 2003-2 Asset Backed Pass-Through Certificates v  
Tommy Rush et al  
Case #2020CP40

Acknowledged as an Expert by SC County of Richland Court Judge JW  
McBride regarding Finance, as a HUD representative, Expert Witness pursuant to  
Mortgages and Secondary Market

In re: Branscomb Wilhite, Monique (Chapter 11 Bankruptcy), Arizona  
Case Number: 2:11-bk-33274-DPC

Acknowledged as an Expert by Federal BK Court CHIEF Judge Collins  
regarding Finance, as a HUD representative, Expert Witness pursuant to  
Mortgages and Secondary Market and foreclosure

In re: Dovgan DDS, John (Chapter 11 Bankruptcy), Arizona  
Case Number: 2:10-bk-05866-GBN

Acknowledged as an Expert by Federal BK Court Judge Neilson regarding  
Finance, as a HUD representative, Expert Witness pursuant to Mortgages and  
Secondary Market

In re: Brown (Chapter 11 Bankruptcy), Arizona

Adversary Proceeding #: 2:12-ap-00053-EPB

Acknowledged as an Expert by Federal Court Judge Ballinger regarding  
Finance, as a HUD representative, Expert Witness pursuant to Mortgages and  
Secondary Market

U.S. BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL  
CAPACITY BUT SOLELY AS OWNER TRUSTEE FOR RCF 2 ACQUISITION  
TRUST v GEORGE L. BLACKWOOD

Case #18-017103

Acknowledged as an Expert by Broward County Honorable Judge Sandra  
Perlman regarding Finance, as a HUD representative, Expert Witness pursuant to  
Mortgages and Secondary Market and foreclosure

David W Gard and Lisa M Gard v US Bank NA, Morgan Stanley Mortgage Loan  
Trust 2006-8AR, Quality Loan Service Corporation

Case #: CV2021-019132

Acknowledged as an Expert by Maricopa County AZ Superior Court Joan M.  
Sinclair regarding Finance, as a HUD representative, Expert Witness pursuant to  
Mortgages and Secondary Market and foreclosure

In re: Bevell, John N. v. Tiffany and Bosco PA. and David W. Cowles  
Superior Court, Arizona, Case #: CV2013-096431

Acknowledged as an Expert by Superior Court Judge Talamante regarding

Finance, as a HUD representative, Expert Witness pursuant to Mortgages and Secondary Market and foreclosure

HOWARD v . S. BANK NATIONAL ASSOCIATION

County of Riverside California

Case # CVR12202682

Acknowledged as an Expert by Riverside County CA presiding Judge regarding Finance, as a HUD representative, Expert Witness pursuant to Mortgages and Secondary Market and foreclosure

In re: Bevell, John N. and Sean A. v. Deutsche Bank National Trust Company, its assignees and/or successors as trustee under Pooling and Servicing Agreement Dated 11/01/05 GSAMP Trust 2005-WMC2

Ninth Circuit No. 12-16709 Appeals Court

Acknowledged as an Expert by Appeal Court Tribunal regarding Finance, as a HUD representative, Expert Witness pursuant to Mortgages and Secondary Market and foreclosure

Chandler, Wayne, S., Arem, Karen J. v. U.S. Bank National Association ND, Bristol Harbour Homeowners Association, New York Supreme Court County of Ontario

Case #: 12-108574

Acknowledged as an Expert by New York Superior Court Judge Doran regarding Finance, as a HUD representative, Expert Witness pursuant to Mortgages and Secondary Market and foreclosure

Bates v. Wells Fargo U.S. District Court for the District of Arizona Case #: CV-14-0750-PHX-JAT

Acknowledged as an Expert by District Court Judge Teilborg regarding Finance, as a HUD representative, Expert Witness pursuant to Mortgages and Secondary Market and foreclosure

In re: Bower-Tietz v. BANA (Chapter 13 Bankruptcy), Arizona, Challenge POC Case #: 2:14-bk-04532-BKM

Acknowledged as an Expert by Federal Court Judge Martin regarding Finance, as a HUD representative, Expert Witness pursuant to Mortgages and Secondary Market

Bank of America, N.A. v Ronald L. Wallace

Case No 16-2016-CA-004608-XXXX-MA

Duval County Florida acknowledged as an Expert by The Presiding Judge

regarding Finance, as a HUD representative, Expert Witness pursuant to  
Mortgages and Secondary Market and foreclosure

JPMC Specialty Mortgage LLC v Byers

Case No 16-2016-CA-5099-XXXX-MA

Sarasota Country Florida acknowledged as an Expert by The Presiding Judge  
regarding Finance, as a HUD representative, Mortgages and Secondary Market  
and foreclosure

Barbara Stephens

Case No 2016-CA-003496

Manatee Country Florida acknowledged as an Expert by The Presiding Judge  
regarding Finance, as a HUD representative, Expert Witness pursuant to  
Mortgages and Secondary Market and foreclosure

ESPINOZA v. CREVECOR MORTGAGE, INC, et al

Case No CV2022-000537

Arizona Superior Court Maricopa County

Aacknowledged as an Expert by The Presiding Judge Joseph Mitish  
regarding Finance as a Banker, as a HUD representative, Expert Witness  
pursuant to Mortgages and Secondary Market and foreclosure

Others available on request



# **EXHIBIT**

**E**

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

In Re:	Case No. 22-04870
Pablo Fernando Sevilla,  Debtor.	Chapter 13 Plan filed on May 24, 2022 Affidavit In Support of The Non-Ownership and Non-participation of Manufacturers and Traders Trust Company ("M&T Bank") in this Bankruptcy as This Loan Was Not Involved In Any Mergers of M&T Bank and Hudson City Savings Bank, FSB

**AFFIDAVIT IN SUPPORT OF THE NON-OWNERSHIP AND NON-PARTICIPATION OF  
MANUFACTURERS AND TRADERS TRUST COMPANY ("M&T BANK") IN THIS  
BANKRUPTCY AS THIS LOAN WAS NOT INVOLVED IN ANY MERGERS OF M&T BANK  
AND HUDSON CITY SAVINGS BANK, FSB**

Now comes Pablo Fernando Sevilla, on oath, and deposes and states as follows:

1. I, Pablo Fernando Sevilla, am the Debtor in Bankruptcy Case No. 22- 04870.
2. I am at least 18 years of age and of sound mind.
3. I make this affidavit based on personal knowledge of the events that took place before, after and during the time that I received a loan from *HOME LOAN CENTER, INC, dba LENDING TREE LOANS*, a California Corporation, on December 21, 2005.
4. I have never received or seen any evidence or indicia of an event connecting *HOME LOAN CENTER, INC, dba LENDING TREE LOANS*, and *MANUFACTURERS AND TRADERS TRUST COMPANY ("M&T BANK")*. That connection has never been presented or established as Illinois is out of the service area of *Hudson City Savings Bank ("HCSB")*, as well as out of the area of service for *M&T Bank* at the time, and before, that *HCSB* went out of business.
5. On November 6, 2023 I flew to Buffalo, New York to the corporate offices of M&T Bank where I met with different executives from that bank, including Brooke

Douglas, Assistant Vice President, and Zene Ashorobi. These individuals were not able to find any records of a mortgage or other type of loan in my name or my property address in their system. They contacted their mortgage department who confirmed that M&T does not have any documentation proving that Pablo Sevilla has a mortgage or loan owned by the M&T Bank and indicated that the proof of claim presented by the alleged lawyers that represent M&T is not valid.

6. Ms. Ashorobi contacted M&T bank Legal department since there are no records indicating that M&T has hired lawyers to represent the bank in this case. There are also no records that Bank of America is servicing this account, since there is no such account in their system.
7. Mrs. Douglas indicated that if M&T Bank is subpoenaed, Mrs. Douglas and Ms. Ashorobi, or the other bank individuals that have been contacted can appear in court to confirm that M&T does not have any claims against Pablo Sevilla or the property listed in this case.
8. Mrs. Cyndee Rae-Estrada, a HUD certified counselor helping me in this case participated over the phone in the conversation with Mrs. Douglas and confirms that the information presented in this affidavit is authentic....
9. I make this affidavit to prove that since I am not a borrower with *M&T Bank*, the personnel at *M&T Bank* can speak to any person who calls them as they are unrepresented by any attorneys involved in my bankruptcy.
10. I make this affidavit as the malicious and outrageous misrepresentations regarding the party entitled to enforce the loan I originated with HOME LOAN CENTER, INC, dba LENDING TREE LOANS is not and never was either *M&T Bank* or *Bank of America, NA*.
11. I make this affidavit to ensure that the true party in interest will be brought into this case and all interlopers and imposters will be told to remove themselves from this bankruptcy case.

I, Pablo Fernando Sevilla, under penalty of perjury, make the above statements and swear they are true and correct and will be prepared to testify to these facts if required.

Dated:

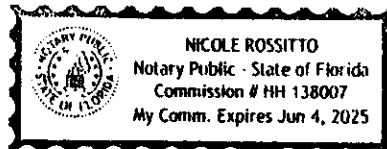
11/8/2023

  
Pablo Fernando Sevilla

EXHIBITS:

- Emails from M&T Bank
- Letter from M&T Bank

Sworn + subscribed on the 30th of November, 2023  
by Pablo Sevilla with Identification Card.







## FW: Pablo Fernando Sevilla

Inbox

Search for all messages with label Inbox

Remove label Inbox from this conversation



**Ashorobi, Zene** <[zashorobi@mtb.com](mailto:zashorobi@mtb.com)>

Mon, Nov 6,  
2:11 PM (2 days  
ago)

to me

Hey Pablo this is the info we got from the mortgage department.

**From:** Douglas, Brooke <[bdouglas@mtb.com](mailto:bdouglas@mtb.com)>

**Sent:** Monday, November 6, 2023 3:05 PM

**To:** Ashorobi, Zene <[zashorobi@mtb.com](mailto:zashorobi@mtb.com)>

**Subject:** FW: Pablo Fernando Sevilla

**From:** White, Meladie <[mmwhite@mtb.com](mailto:mmwhite@mtb.com)> **On Behalf Of** MORTGAGE SERVICE

**Sent:** Monday, November 6, 2023 2:53 PM

**To:** Douglas, Brooke <[bdouglas@mtb.com](mailto:bdouglas@mtb.com)>

**Subject:** RE: Pablo Fernando Sevilla

Hello,

Thank you for your inquiry.

I am unable to locate a Mortgage account with the information you provided.

If you have any further questions or concerns, please feel free to contact our Customer Service Department at 1-800-724-2224.

Sincerely,

Meladie White  
Mortgage Customer Support  
Retail Loan Servicing

**From:** Douglas, Brooke <[bdouglas@mtb.com](mailto:bdouglas@mtb.com)>

**Sent:** Monday, November 6, 2023 2:11 PM

**To:** MORTGAGE SERVICE <[mtgservice@mtb.com](mailto:mtgservice@mtb.com)>  
**Cc:** Ashorobi, Zene <[zashorobi@mtb.com](mailto:zashorobi@mtb.com)>  
**Subject:** Pablo Fernando Sevilla

Good Afternoon,

Are you able to locate a mortgage for an individual with the name Pablo Fernando Sevilla? The branch is unable to locate a mortgage for the customer and we are looking for confirmation.

Thank you,  
Brooke Douglas  
Assistant Vice President | M&T Bank  
One M&T Plaza Branch | Branch Manager  
716-842-4457  
[bdouglas@mtb.com](mailto:bdouglas@mtb.com) | [www.mtb.com](http://www.mtb.com)  
NMLS ID #1793528

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345 Main Street, Buffalo, NY 14203

November 6th, 2023

To Pablo Sevilla:

As of November 6<sup>th</sup>, 2023 you have no retail deposit accounts with M&T Bank.

Regards,

A handwritten signature in black ink that reads "Brooke Douglas". The signature is written in a cursive, flowing style.

Brooke Douglas

Assistant Vice President | M&T Bank  
One M&T Plaza Branch | Branch Manager  
716-842-4470

**M&T Bank**

**Brooke Douglas**  
**Assistant Vice President**  
**Branch Manager**

**NMLS #1793528**

**716 842 4457**

**716 842 5280** FAX

**bdouglas@mtb.com**

**One M&T Plaza Branch**  
**345 Main Street**  
**Buffalo, NY 14203**





**RE: Pablo Sevilla/ 600 W Lonquist Blvd., Mount Prospect, IL 60056**

1 message

**LIEN RELEASE** <LIENRELEASE@mtb.com>  
To: Linda Sevilla <lindycity500@gmail.com>  
Cc: LIEN RELEASE <LIENRELEASE@mtb.com>

Wed, Jun 7, 2023 at 9:21 AM

Good Morning,

We can not review a request without a recorded mortgage and title report. The previous mortgage provided in the attached email originated with Home Loan Center, Inc, dba Lending Tree Loans in 2005 and was assigned to Countywide Home Loans Servicing LP in 2011. Neither document mentions Hudson City Savings Bank. We have no record of the loan number you provided (0116902173) or servicing this property address. The lender who was paid in full will need to release the lien. M&T can not release a lien in the name of another lender.

Thank You,

Lien Release Team

1 Fountain Plaza, 4<sup>th</sup> Floor

Buffalo, NY 14203

Fax-1-844-579-9794

**M&T Bank**

**From:** Linda Sevilla <lindycity500@gmail.com>  
**Sent:** Tuesday, June 6, 2023 5:21 PM  
**To:** LIEN RELEASE <LIENRELEASE@mtb.com>  
**Subject:** Re: Pablo Sevilla/ 600 W Lonquist Blvd., Mount Prospect, IL 60056

External Email: Use caution & trust the source before clicking links or opening attachments.

Good afternoon,



**cCyndee Rae Estrada**  
**Expert Solution Products**  
(864) 844-9401  
(602) 926-2570 facsimile)  
info@moneyandcredit.biz

### **Curriculum Vitae**

I have over 21 years experience in origination of residential, commercial and construction mortgages, deeds of trust, notes, secondary market purchases, Securities and Exchange Trusts, securitization and servicing for all the residential and commercial markets. I have originated and serviced notes with in my own company, four different bankers and independent brokers and handled all aspects of personally financing, commercial financing, receivable funding and hard- money notes. During the course of my career, I have wholesaled loans for and was directly paid by JPMorgan Chase, Chase Manhattan Bank, Chevy Chase Bank, U.S. Bank, N.A, Wells Fargo Bank, N.A., Bank of America, Countrywide Bank, N.A., Countrywide Sub-Prime, Countrywide Home Loans, Freedom Financial, FHA, VA, Washington Mutual, Citibank, CIT Group, SunTrust, Crestar, SBA, BayView, numerous commercial lenders and many others. I have been qualified as an Expert Witness to testify in all 50 states and have testified across the country in State, District, Federal, Superior and Bankruptcy courts.

As a banking/broker representative for the Housing Coalition, an organization analyzing solutions to the nations housing concerns, she has developed close relationships with advisors and employees of the CFPB, Securities and Exchange Commission, FDIC resolution group in Dallas, Texas, the Treasury Department, various Attorney Generals across the country, the FBI, State Departments of Finance, Department of Housing and Urban Development, direct communications with vice presidents of international Trust Companies such as Deutsche Bank and Bank of New York Mellon, and has participated in banking committees as “eyes and ears on the street” for evaluations of consumer programs.

Member and Advisor to the Homeowner’s Advocacy Group run by Monique Wilhite with the ASU Sandra Day O’Connor School of Law – Representing Homeowners in multiple Bankruptcy Cases

Acknowledged as an Expert by Federal Bankruptcy Court CHIEF JUDGE COLLINS

Advisor to the HARDEST HIT FUND distribution program delegated by the Governor and Attorney General’s Office in Arizona.

#### **Professional Experience:**

2020 on going – Engagement contracts as both an advisor and expert across the U.S. involving over 28 judicial and non-judicial foreclosure cases, along with several bankruptcy cases involving properties and the reorganization of debt. The purpose; to provide clarification on the subjects of Notes and Mortgages/Deeds of Trusts from origination through the buying and selling of these, and other debt instruments, as they are sold and acquired as investment properties. I have been working closely with the Securities and Exchange Commission to explain and define the securitization practices and what they mean to the entire industry, including lenders, investors and

borrowers. These are areas of understanding that for over 18 years I have been involved in and acquired licensing in areas of Notes, Mortgage and Deed of Trust law. Knowledge of the characteristics of the creation and function of the instruments of debt and security is imperative when examining the Rules, Regulations, Laws and requirements related to ownership and lawful transfer. These principles and standards need to be relayed to the appropriate parties when a foreclosure is pending.

In March 2021, I effectively provided testimony evidence for *Dominick Ferritto against Deutsche Bank National Trust Company as Trustee for Harborview Mortgage Loan Trust 2006-14, Mortgage Loan Pass-Through Certificates, Series 206-14 v Dominick Alan Ferritto, etal*, 18-CA-006528, Hillsborough County, Florida.

2019 – Engagement contracts as both an advisor and expert across the U.S. involving over 48 judicial and non-judicial foreclosure cases, along with over 14 bankruptcy cases involving properties including in the reorganization of debt. The purpose; to provide clarification on the subjects of Notes and Mortgages/Deeds of Trusts from origination through the buying and selling of these, and other debt instruments, as they are sold and acquired as investment properties. It is an area of understanding that for over 18 years I have been involved in and acquired licensing in areas of Notes, Mortgage and Deed of Trust law. Knowledge of the characteristics of the creation and function of the instruments of debt and security is imperative when examining the Rules, Regulations, Laws and requirements related to ownership and lawful transfer. These principles and standards need to be relayed to the appropriate parties when a foreclosure is pending.

2019-4-10 - Ordered to attend *Daubert*<sup>1</sup> hearing to determine the admissibility of expert testimony. Ruled by the Honorable Michael E. Romero to be a Qualified Expert to appear in Federal Court as an Expert Witness and determined that testimony by Ms. Estrada is admissible under F.R.E. 602.

2018- (from 2011)  
Expert Witness  
Nationwide

2018 (from 2011) -  
R & B Mortgage Source, LLC  
Licensed Loan  
Originator/Analyst Paradise  
Valley, AZ

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<sup>1</sup> *Daubert v. Merrell Dow Pharm, Inc* 509 U.S. 578, 113 S.Ct. 2786, 125 L.Ed.2d 469 (1993); *Etherton v. Owners Ins. Co*, 829 F.3d 1209, 1217 (10<sup>th</sup> Cir. 2016) (“Rule 702 imposes a gate keeping function on district courts to ensure expert testimony is admitted only if it is relevant and reliable.”) *see also In re Blair*, 588. B.R. 605, 610-11 (Bankr. D. Colo. 2018).

2017 – Engagement contracts across the U.S. involving over 40 judicial foreclosures cases and non-judicial foreclosure cases. Also, over 20 bankruptcy cases involving properties in foreclosure. The purpose, to provide accurate characterization of Notes, Deeds of Trust and Mortgage situations.  
Expert Witness, Consultant

2016 - Engagement with DNA-People's Legal Services,  
Inc Navajo Nation

2016 – Engagement with Sandra Day O'Connor School of Law –  
A.S.U. HOMEOWNER ADVOCACY PROJECT  
Arizona State University (chosen by the Dean of the  
School) Expert Witness  
Arizona Federal Court Cases

2013 (from 2000) - 2017  
Corporate Capital & Consulting  
Owner/Operator  
Phoenix, Arizona

2008 - 2009  
Gold Mortgage  
Loan Analyst  
Phoenix,  
Arizona

2003 - 2008  
Olympic  
Mortgage Loan  
Analyst  
Phoenix,  
Arizona

2001 - 2003  
Allstate  
Mortgage  
Loan Analyst  
Mesa, Arizona

1993 - 2000  
International Profit Associates  
Southwest Regional Manager  
Buffalo Grove, Illinois

Certifications:

2020 - 2021 - Renewed License as a Loan  
Originator Department of Financial  
Institutions State of Arizona

Including:

- Federal and State Law (1-yr course)
- Non Traditional Mortgage Products Reverse and Subprime Mortgages (1-yr )
- Safety and Ethics: Red Flags for the MLO (1-year course)
- Federal Laws and Regulations (1-yr course)
- State Elective: Licensing and Regulations for the AZ MLO (1-yr course)

2019 - Renewed License as a Loan  
Originator Department of Financial  
Institutions State of Arizona

Including:

- Federal and State Law (1-yr course)
- Non Traditional Mortgage Products Reverse and Subprime Mortgages (1-yr)
- Safety and Ethics: Red Flags for the MLO (1-yr course)
- Federal Laws and Regulations ( 1-yr course)
- State Elective: Licensing and Regulations for the AZ MLO (1-yr course)

2018 - Renewed License as a Loan Originator  
Department of Financial Institutions  
State of Arizona

Including:

- Federal and State Law ( 1-yr course)
- Non Traditional Mortgage Products Reverse and Subprime Mortgages ( 1-yr)
- Safety and Ethics: Red Flags for the MLO ( 1-yr course)
- Federal Laws and Regulations (1-yr course)
- State Elective: Licensing and Regulations for the AZ MLO ( 1-yr course)

2017 - Renewed License as a Loan Originator  
Department of Financial Institutions  
State of Arizona

Including:

- Federal and State Law (1-yr course)
- Non Traditional Mortgage Products Reverse and Subprime Mortgages (1-yr)
- Safety and Ethics: Red Flags for the MLO ( 1-yr course)
- Federal Laws and Regulations (1-yr course)
- State Elective: Licensing and Regulations for the AZ MLO (1-yr course)

2016 - Renewed License as a Loan Originator  
Department of Financial Institutions  
State of Arizona

Including:

- Arizona Law (1-yr course)
- Non Traditional Mortgage Products Reverse and Subprime Mortgages (1-yr )
- Safety and Ethics: Red Flags for the MLO ( 1-yr course)
- Federal Laws and Regulations (1-yr course)
- State Elective: Licensing and Regulations for the AZ MLO ( 1-yr course)

- 2015 - Renewed License as a Loan Originator  
 Department of Financial Institutions  
 State of Arizona  
 Including:
- Non Traditional Mortgage Products Reverse and Subprime Mortgages (1-yr )
  - Safety and Ethics: Red Flags for the MLO (1-yr course)
  - A Year of Impact: Federal Laws and Regulations (1-yr course)
  - State Elective: Licensing and Regulations for the AZ MLO (1-yr course)
- 2014 - On going industry training  
 Certification MHA Trusted Advisor
- 2014 - Renewed License as a Loan Originator  
 Department of Financial Institutions  
 State of Arizona  
 AZ Safe Comprehensive: Relevant Practices for the MLO
- Non-Traditional Loan Products (1-yr course)
  - Arizona Mortgage Law (1-yr course)
  - Ethics (1-yr course)
  - Federal Law (1-yr course)
- 2014 – Registered Fannie Mae Trusted Advisor  
 Administered by Fannie Mae  
 Course Study:
- Home Affordable Modification Program Part 1
  - Home Affordable Modification Program Part 2
  - HAMP Standard and Alternative Modification Waterfalls
  - Unemployment Program for Servicers
  - Home Affordable Foreclosure Alternatives Program for Servicers
  - Second Lien Modification Program (2MP) for Servicers
  - Case Escalations for Servicers
  - Base Net Present Value (NPV)
  - Base NPV v5.02
  - LMSPN Scam Alert: Preventing Loan Modification Scams
  - Understanding the Terms of a HAMP Modification: Interest Rate Step-Up, Impact, and Resources
  - Hardest Hit Fund Overview
  - MHA Tools & Resources for Trusted Advisors
- 2013 - Renewed License as a Loan Originator  
 Department of Financial Institutions  
 State of Arizona  
 AZ Safe Comprehensive: Relevant Practices for the MLO Non-Traditional Loan Products (1-yr course)
- Arizona Mortgage Law (1-yr course)
  - Ethics (1-yr course)
  - Federal Law (1-yr course)



- 2012 - Renewed License as a Loan Originator  
Department of Financial Institutions  
State of Arizona  
AZ Safe Comprehensive: Relevant Practices for the MLO
- Non-Traditional Loan Products (1-yr course)
  - Arizona Mortgage Law (1-yr course)
  - Ethics (1-yr course)
  - Federal Law (1-yr course)
- 2011 - Certified Forensic Loan Auditor  
Accredited by the Mortgage Securitization Auditor  
National Accreditation - Legal Certification
- 2011 - Renewed License as a Loan Originator  
Department of Financial Institutions  
State of Arizona  
Including:
- Non-Traditional Loan Products (1-yr course)
  - Arizona Mortgage Law (1-yr course)
  - Ethics (1-yr course)
  - Federal Law (1-yr course)
- 2010 - Licensed as a Loan Originator  
Department of Financial Institutions  
State of Arizona  
Including:
- Non-Traditional Loan Products (1-yr course)
  - Arizona Mortgage Law (1-yr course)
  - Introduction to Ethics (1-yr course)
  - Federal Law (1-yr course)
- 2009 - Present  
HAMP and MHA on-going training and certifications  
Councilor on Line - National Database for Councilors to share cases  
and results across socio-economic areas of the United States.
- 2009 - S.A.F.E. Act Requirements  
Sponsored by the National Association of Mortgage Brokers  
Including:
- Identity Theft (Fraud/Ethics) (1-yr course)
  - Arizona Mortgage Law (1-yr course)
  - Introduction to Ethics (1-yr course)
  - Federal Law (1-yr course)
  - Non-Traditional Loan Products (1-yr course)
  - Mortgage Lending Overview (1-yr course)
  - Conducting the Interview (1-yr course)
  - Introduction to Appraisal Procedures (1-yr course)
  - Review

2014 - 2018 Notary Public, State of Arizona and the County of Maricopa

2010 - 2014 Notary Public, State of Arizona and the County of Maricopa

2006 - 2010 Notary Public State of Arizona and the County of Maricopa

**Continuing Education:**

2018 - SAFE: Arizona Comprehensive Practical Application for The Informed MLO

Sponsored by AZ School of Real Estate & Business

Arizona Law (1-yr course)

Ethics (1-yr course)

Nontraditional Mortgage Products and Reverse Mortgages (1-yr course)

National Law (1-yr course)

2017 - SAFE: Arizona Comprehensive Practical Application for The Informed MLO

Sponsored by AZ School of Real Estate & Business

Arizona Law (1-yr course)

Ethics (1-yr course)

Nontraditional Mortgage Products (1-yr course)

National Law (1-yr course)

2016 - SAFE: Arizona Comprehensive Practical Application for The Informed MLO

Sponsored by AZ School of Real Estate & Business

Arizona Law (1-yr course)

Ethics (1-yr course)

Nontraditional Mortgage Products (1-yr course)

National Law (1-yr course)

2015 - SAFE: Arizona Comprehensive Practical Application for The Informed MLO

Sponsored by AZ School of Real Estate & Business

Arizona Law (1-yr course)

Ethics (1-yr course)

Nontraditional Mortgage Products (1-yr course)

National Law (1-yr course)

2015 - CFPB online continuing education training courses

2014 - CFPB online continuing education training courses

2014 - SAFE: Arizona Comprehensive Practical Application for The Informed MLO

Sponsored by AZ School of Real Estate & Business

Arizona Law (1-yr course)

Ethics (1-yr course)

Nontraditional Mortgage Products (1-yr course)

Law (1-yr course)

2013 - SAFE: Arizona Comprehensive Practical Application for MLO

Sponsored by AZ School of Real Estate & Business

Arizona Law (1-yr course)  
Ethics (1-yr course)  
Nontraditional Mortgage Products (1-yr course)  
Law (1-yr course)

2013 - Making Home Affordable Act (update courses)  
Sponsored by the Federal National Mortgage Association

2012 - SAFE: Federal Mortgage Law & Regulation (1-yr course)  
Sponsored by CEIS: Continuing Education School of Florida, Inc.  
Approved by the National Mortgage Licensing System

2012 - SAFE: Ethics and Fraud Consumer Protection (1-yr course)  
Sponsored by CEIS: Continuing Education School of Florida,  
Inc. Approved by the National Mortgaging Licensing System

2012 - Making Home Affordable Act (update courses)  
Sponsored by the Federal National Mortgage Association

2012 - SAFE: Non Traditional Mortgage (1-yr course)  
Sponsored by CEIS: Continuing Education School Of Florida,  
Inc. Approved by the National Mortgaging Licensing System

2012 - Homeowners' and Lenders' Rights in the AZ Foreclosure Process (1-yr course  
SAFE AZ credit) Sponsored by Advanced Education Systems  
Approved by the Nationwide Mortgage Licensing System and Registry

2011 - Making Home Affordable (update courses)  
Sponsored by the Federal National Mortgage Association

2011 - Arizona Mortgage Loan Originator Course (1-yr course)  
Sponsored by Arizona School of Real Estate & Business  
Including: AZ SAFE Comprehensive Topics for Mortgage Loan Originators  
- Arizona Law (1-yr course)  
- Ethics (1-yr course)  
- Nontraditional Mortgage Products (1-yr course)  
- Law (1-yr course)

2009 - Making Home Affordable Program (HAMP)  
Sponsored by the Federal National Mortgage Association

2007 - Small-Balance Commercial Lending  
Sponsored by Wells Fargo Bank

2005 - M2 Advantage, Real Estate Training Academy  
Sponsored by Wealth Intelligence Academy, Inc.

2004 - HUD sponsored Loss Mitigation Training

2002 - General Real Estate  
Sponsored by Arizona School of Real Estate & Business

Presentations:

- 2015 - Held Mortgage Compliance and Underwriting Classes for Community Legal Services
- 2004 - 2010 Taught classes in Credit Scoring and First Time Home Buying at Maricopa Community Colleges and non-profit organizations, Neighborhood Housing Services, Greater Phoenix Urban League, and Acorn in Phoenix

Organizations:

- 2012 - 2013 National Foreclosure Defense Fund Board of Directors Las Vegas, Nevada  
2011 - 2013 Member, Glendale Chamber of Commerce  
2010 - 2011 Member, Arizona Hispanic Chamber of Commerce  
2009 - 2010 Board of Directors, National Association of Hispanic Real Estate Professionals  
2003 - 2004 Valle del Sol, Inc., Arizona Latinos, Partners for Success  
2000 - on-going Advisory Board Anti-Predatory Lending Practices  
Sponsored by Fannie Mae - \$10 million dollar budget

Acknowledged as an Expert Witness by:

Affidavits/Expert Witness Reports/Expert Testimony (including, but not limited to):

Daubert Hearings occur when the validity of an expert's testimony is challenged due to the methodology used to form their opinion prior to a trial. The Daubert standard is the set of criteria used to determine the admissibility of expert witness testimony. When presented with this test the result was the acceptance and inclusion of my testimony and methodology for the Federal Courts. The conclusion is my testimony is qualified as both an Expert and Fact Witness for the purpose of presenting testimony.

Acknowledged as an Expert by Hernando County Florida Judge  
Don Barbee, Jr, Case No. 2017-CA-669DiTech Financial LLC FKA  
Green Tree Servicing LLC v Adalberto Melgar, etal, 4/9/2021

Acknowledged as an Expert by Hillsborough County Florida Judge  
Cheryl K. Thomas CASE NO.: 29-2018-CA-006528 Deutsche Bank National  
Trust Company, As Trustee for Harborview Mortgage Loan Trust 2006-14,  
Mortgage Loan Pass, Through Certificates, Series 2006-14 v, Dominick  
Alan Ferritto, et al. 3/23/2021

Acknowledged as an Expert by Miami-Dade County Florida Judge Thornton

Acknowledged as an Expert by Lee County Florida Judge M.T. McHugh

Acknowledged as an Expert by Maricopa County Superior Court  
Judge Hugh Hegyi

Acknowledged as an Expert by Lee County Circuit Judge Gentile  
Acknowledged as an Expert by Superior Court Judge Talamante  
Acknowledged as an Expert by Federal BK Court CHIEF Judge Collins  
Acknowledged as an Expert by Federal BK Court Judge C. G. Case II  
Acknowledged as an Expert by Federal BK Court Judge Neilson  
Acknowledged as an Expert by Federal Court Judge Ballinger  
Acknowledged as an Expert by Federal Court Judge Ballinger  
Acknowledged as an Expert by New York Superior Court Judge Doran  
Acknowledged as an Expert by District Court Judge Teilborg  
Acknowledged as an Expert by Federal Court Judge Martin  
Acknowledged as an Expert by Sarasota County Circuit Judge Ruhl  
Acknowledged as an Expert by Broward County Circuit Judge Leboul  
Acknowledged as an Expert by Broward County Circuit Judge Hawkins  
Acknowledged as an Expert by Lee County Circuit Judge LaBoda  
Acknowledged as an Expert by Collier County Circuit Judge Hayes  
Acknowledged as an Expert by Palm Beach County Circuit Judge Martz  
Acknowledged as an Expert by Lee County Circuit Judge Reece  
Acknowledged as an Expert by Manatee County Circuit Judge Nicholas  
Acknowledged as an Expert by Monroe County Circuit Judge Koenig  
Acknowledged as an Expert by Broward County Circuit Judge Gundersen  
Acknowledged as an Expert by Twentieth County Circuit Judge Lundy  
Acknowledged as an Expert by Brevard County Circuit Judge Dugan  
Acknowledged as an Expert by Lee County Circuit Judge Krier  
Acknowledged as an Expert by Sarasota County Circuit Judge Hunter  
Acknowledged as an Expert by Federal BK Court Judge Williamson  
Acknowledged as an Expert by Lee County Circuit Judge Shanko  
Acknowledged as an Expert by Broward County Circuit Judge Hora  
Acknowledged as an Expert by Federal Bankruptcy Judge Curley  
Acknowledged as an Expert by Orangeburg County Court of Common Pleas  
Judge Martin Banks  
Acknowledged as an Expert by Honorable Cheryl K Thomas Hillsborough



Acknowledged as an Expert by Federal Bankruptcy Judge Paul Sala

Acknowledged as an Expert by Federal Bankruptcy Judge Michael Romero

Acknowledgment as a Trusted Advisor to Fannie Mae (FNMA) and  
Department of Housing and Urban Development (HUD)

Acknowledged as a Trusted Advisor and Expert Witness for the Sandra  
Day O'Connor College of Law, Arizona State University

**CASES WHERE QUALIFIED AS AN EXPERT  
AND PROVIDED TESTIMONY**

ASPEND PROPERTIES GROUP, LLC AS TRUSTEE OF  
APG HOLDINGS REVOCABLE TRUSTE v. Ursula Langley  
Case No. 2018-CA-002083 Heard on 10/25/2023  
Circuit Court of the 20<sup>th</sup> Judicial Circuit, In And For Collier County, Florida  
as an Expert by The Presiding Judge regarding Finance, as a Banker, as a  
HUD representative, Expert Witness pursuant to Mortgages and Secondary  
Market and foreclosure

WILMINGTON TRUST, NA, SUCCESSOR TRUSTEE TO CITIBANK, NA AS  
TRUSTEE F/B/O HOLDERS OF STRUCTURED ASSET MORTGAGE  
INVESTMENTS II INC, BEAR STEARNS ALT-A TRUST 2006-4, MORTGAGE  
PASS-THROUGH CERTIFICATES, SERIES 2006-4 V NANCY MATTHEWS  
Case No.:CACE16-010003 DIV. 11  
Circuit Court of the 17<sup>th</sup> Judicial Circuit for Broward County, Florida  
Acknowledged as an Expert by The Honorable Judge A R Gundersen regarding  
Finance, as a HUD representative, Expert Witness pursuant to Mortgages and  
Secondary Market and foreclosure

Nationstar Mortgage LLC d/b/a Mr. Cooper v Rosa Karanasos  
Index No. 612286/2017  
Supreme Court of the State of New York County of Nassau  
Acknowledged as an Expert by The Presiding Judge Arthur D Spatt  
regarding Finance, as a HUD representative, Expert Witness pursuant to  
Mortgages and Secondary Market and foreclosure

U.S. BANK N.A. AS TRUSTEE, SUCCESSION IN INTEREST TO WACHOVIA BANK,  
N.A. AS TRUSTEE FOR BANC OF AMERICA FUNDING CORPORATION  
MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-F v Tom Keleher  
Case No. 2016-CA-000075  
Circuit Court of the 20<sup>th</sup> Judicial Circuit, Lee County Florida  
Acknowledged as an Expert by The Honorable Judge Geoffrey H. Gentile

regarding Finance, as a HUD representative, Expert Witness pursuant to Mortgages and Secondary Market and foreclosure

JPMorgan Chase Bank, National Association v Billie Kelly

Case No. CACE13001726

The Circuit Court of the 17<sup>th</sup> Judicial Circuit, Broward County, Florida

Acknowledged as an Expert by The Honorable Judge A R Gundersen regarding Finance, as a HUD representative, Expert Witness pursuant to Mortgages and Secondary Market and foreclosure

Kosi Vs. Littman et al

Case No.:MSC17-00862

Contra Costa Superior Court of California

Acknowledged as an Expert by The Honorable Presiding Judge regarding Finance, as a HUD representative, Expert Witness pursuant to Mortgages and Secondary Market and foreclosure

Deutsche Bank N.A. Trust Co, as Trustee for Soundview Home Loan Trust 2006-OPT5, Asset-Backed Certificates, Series 2006-OPT5 v Francisco LaChapel

Case No.:CACE16001410

Circuit Court of the 17<sup>th</sup> Judicial Circuit for Broward County, Florida

Acknowledged as an Expert by The Honorable Judge A R Gundersen regarding Finance, as a HUD representative, Expert Witness pursuant to Mortgages and Secondary Market and foreclosure

WILMINGTON TRUST, NA, SUCCESSOR TRUSTEE TO CITIBANK, NA AS TRUSTEE F/B/O HOLDERS OF STRUCTURED ASET MORTGAGE INVESTMENTS II INC, BEAR STEARNS ALT-A TRUST 2007-2, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-2 v RICARDO MUSCOLINO

Case No.: 2019-CA-016173

Circuit Court of the 15<sup>th</sup> Judicial Circuit for Palm Beach County, Florida

Acknowledged as an Expert by The Honorable Judge Samantha Schosberg Feuer regarding Finance, as a HUD representative, Expert Witness pursuant to Mortgages and Secondary Market and foreclosure

Deutsche Bank N.A. Trust Co, as Trustee on Behalf of The Certificateholders of Natixis Real Estate Capital Trust 2007-HE2, Mortgage Pass-Through Certificates Series 2007-HE2 v Cheryl A. Lenik, Jerald L Lenik, et al

Case No.:2020-11080-CIDL

Circuit Court of the 7<sup>th</sup> Judicial Circuit for Volusia, County, Florida

Acknowledged as an Expert by The Honorable Judge Kathryn Weston regarding Finance, as a HUD representative, Expert Witness pursuant to Mortgages and Secondary Market and foreclosure

Deutsche Bank National Trust Company, as Trustee for Harborview Mortgage

Loan Trust 2016-14, Mortgage Loan Pass-through Certificates, Series 2006-14  
v Dominic Alan Ferritto

Case: 18-CA-006528

Acknowledged as an Expert by Honorable Cheryl K Thomas Hillsborough  
County regarding Finance, as a HUD representative, Expert Witness pursuant to  
Mortgages and Secondary Market and foreclosure

### **Affidavits/Expert Witness Reports**

#### **(Examples including but not limited to):**

In Re: Matter of, MARK A. ESPINOZA Petitioner and SUSANA H. ESPINOZA,  
Respondent

Case No. FC2014-001047

Acknowledged as an Expert by the Honorable Glenn A. Allen Superior Court  
Arizona, County of Maricopa regarding Finance, as a HUD representative,  
Expert Witness pursuant to Mortgages and Secondary Market

Deutsche Bank National Trust Company, as Trustee for On Behalf of the  
Holders of The Impac Secured Assets Corp., Mortgage Loan Pass-through  
Certificates, Series 2006-4 v George Weber

Case: 19-CA-000814

Acknowledged as an Expert by Honorable Cheryl K Thomas Hillsborough  
County regarding Finance, as a HUD representative, Expert Witness pursuant to  
Mortgages and Secondary Market and foreclosure

MTGLQ Investors LP v Adalberto Melgar

Case: 2017-CA-669

Acknowledged as an Expert by the Circuit Judge Honorable Don Barbee, Jr  
regarding Finance, as a HUD representative, Expert Witness pursuant to  
Mortgages and Secondary Market and foreclosure

In re: Carrie E. Simms Bankruptcy Chapter 13

Case:20-12547-BFK

Acknowledged as an Expert by Alexandria Div, Eastern Dist of VA Judge Brian  
F. Kinney regarding Finance, as a HUD representative, Expert Witness pursuant  
to Mortgages and Secondary Market

In re: Jill Clow Bankruptcy Chapter 13

Case No. 17-13167 MER District of Colorado

Acknowledged as an Expert by the Honorable Michael E. Romero

He ordered me to attend a Daubert hearing to determine the admissibility of  
my expert testimony and he ruled that I was indeed an expert in Finance, as a  
HUD representative, Mortgages and Secondary Market

Federal National Mortgage Assoc v. Ricardo J. Lopez

Case Number: 17-CA-002085

Acknowledged as an Expert by Miami-Dade County Florida Judge Thornton  
Regarding Finance, as a HUD representative, Expert Witness pursuant to  
Mortgages and Secondary Market and foreclosure

MidFirst Bank V Rahat Khan, etal

Civil Action No 2021CP38

Country of Orangeburg South Carolina

Acknowledged as an Expert by the Honorable Judge James Jackson regarding  
Finance, as a HUD representative, Expert Witness pursuant to Mortgages and  
Secondary Market and foreclosure

The Bank of New York Mellon v. Dr.Klaus, Hilda Stiller, etc

Case Number: 18-CA-005307

Acknowledged as an Expert by Lee County Florida Judge M.T. McHugh  
regarding Finance, as a HUD representative, Expert Witness pursuant to  
Mortgages and Secondary Market

In re: Gadi Wavomba Bankruptcy Chapter 13

Case No. 2: 21-05384-BKM

Acknowledged as an Expert by the Honorable Judge B. K. Martin regarding  
Finance, as a HUD representative, Expert Witness pursuant to Mortgages and  
Secondary Market

Lavelle Bridges v. First Tennessee Bank National Assoc, et al.

Case Number: CV 2016-000605

Acknowledged as an Expert by Maricopa County Superior Court Judge Hugh  
Hegyi regarding Finance, as a HUD representative, Expert Witness pursuant to  
Mortgages and Secondary Market and foreclosure

U. S. Bank National Association v. Thomas Kelleher

Case Number: 2016-CA-000075

Acknowledged as an Expert by Lee Circuit Judge Gentile  
regarding Finance, as a HUD representative, Expert Witness pursuant to  
Mortgages and Secondary Market and foreclosure

Brown v. Western Progressive, U.S. Bank N.A.

Case Number: 2:15-cv-01493-DLR

Acknowledged as an Expert by Superior Court Judge Talamante regarding  
Finance, as a HUD representative, Expert Witness pursuant to Mortgages and  
Secondary Market and foreclosure

In re: Joaquim, Richard (Chapter 11 Bankruptcy), Arizona

Case Number: 2:10-bk-37930-DPC

Acknowledged as an Expert by Federal BK Court CHIEF Judge Collins  
regarding Finance, as a HUD representative, Expert Witness pursuant to  
Mortgages and Secondary Market

Deutsche Bank National Trust Company as Trustee for New Century Home

Equity Loan Trust Series 2003-2 Asset Backed Pass-Through Certificates v  
Tommy Rush et al

Case #2020CP40

Acknowledged as an Expert by SC County of Richland Court Judge JW  
McBride regarding Finance, as a HUD representative, Expert Witness pursuant to  
Mortgages and Secondary Market

In re: Branscomb Wilhite, Monique (Chapter 11 Bankruptcy), Arizona  
Case Number: 2:11-bk-33274-DPC

Acknowledged as an Expert by Federal BK Court CHIEF Judge Collins  
regarding Finance, as a HUD representative, Expert Witness pursuant to  
Mortgages and Secondary Market and foreclosure

In re: Dovgan DDS, John (Chapter 11 Bankruptcy), Arizona  
Case Number: 2:10-bk-05866-GBN

Acknowledged as an Expert by Federal BK Court Judge Neilson regarding  
Finance, as a HUD representative, Expert Witness pursuant to Mortgages and  
Secondary Market

In re: Brown (Chapter 11 Bankruptcy), Arizona  
Adversary Proceeding #: 2:12-ap-00053-EPB

Acknowledged as an Expert by Federal Court Judge Ballinger regarding  
Finance, as a HUD representative, Expert Witness pursuant to Mortgages and  
Secondary Market

U.S. BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL  
CAPACITY BUT SOLELY AS OWNER TRUSTEE FOR RCF 2 ACQUISITION  
TRUST v GEORGE L. BLACKWOOD

Case #18-017103

Acknowledged as an Expert by Broward County Honorable Judge Sandra  
Perlman regarding Finance, as a HUD representative, Expert Witness pursuant to  
Mortgages and Secondary Market and foreclosure

David W Gard and Lisa M Gard v US Bank NA, Morgan Stanley Mortgage Loan  
Trust 2006-8AR, Quality Loan Service Corporation

Case #: CV2021-019132

Acknowledged as an Expert by Maricopa County AZ Superior Court Joan M.  
Sinclair regarding Finance, as a HUD representative, Expert Witness pursuant to  
Mortgages and Secondary Market and foreclosure

In re: Bevell, John N. v. Tiffany and Bosco PA. and David W. Cowles  
Superior Court, Arizona, Case #: CV2013-096431

Acknowledged as an Expert by Superior Court Judge Talamante regarding

Finance, as a HUD representative, Expert Witness pursuant to Mortgages and Secondary Market and foreclosure

HOWARD v . S. BANK NATIONAL ASSOCIATION

County of Riverside California

Case # CVR12202682

Acknowledged as an Expert by Riverside County CA presiding Judge regarding Finance, as a HUD representative, Expert Witness pursuant to Mortgages and Secondary Market and foreclosure

In re: Bevell, John N. and Sean A. v. Deutsche Bank National Trust Company, its assignees and/or successors as trustee under Pooling and Servicing Agreement Dated 11/01/05 GSAMP Trust 2005-WMC2

Ninth Circuit No. 12-16709 Appeals Court

Acknowledged as an Expert by Appeal Court Tribunal regarding Finance, as a HUD representative, Expert Witness pursuant to Mortgages and Secondary Market and foreclosure

Chandler, Wayne, S., Arem, Karen J. v. U.S. Bank National Association ND, Bristol Harbour Homeowners Association, New York Supreme Court County of Ontario

Case #: 12-108574

Acknowledged as an Expert by New York Superior Court Judge Doran regarding Finance, as a HUD representative, Expert Witness pursuant to Mortgages and Secondary Market and foreclosure

Bates v. Wells Fargo U.S. District Court for the District of Arizona Case #: CV-14-0750-PHX-JAT

Acknowledged as an Expert by District Court Judge Teilborg regarding Finance, as a HUD representative, Expert Witness pursuant to Mortgages and Secondary Market and foreclosure

In re: Bower-Tietz v. BANA (Chapter 13 Bankruptcy), Arizona, Challenge POC Case #: 2:14-bk-04532-BKM

Acknowledged as an Expert by Federal Court Judge Martin regarding Finance, as a HUD representative, Expert Witness pursuant to Mortgages and Secondary Market

Bank of America, N.A. v Ronald L. Wallace

Case No 16-2016-CA-004608-XXXX-MA

Duval Country Florida acknowledged as an Expert by The Presiding Judge



regarding Finance, as a HUD representative, Expert Witness pursuant to  
Mortgages and Secondary Market and foreclosure

JPMC Specialty Mortgage LLC v Byers

Case No 16-2016-CA-5099-XXXX-MA

Sarasota County Florida acknowledged as an Expert by The Presiding Judge  
regarding Finance, as a HUD representative, Mortgages and Secondary Market  
and foreclosure

Barbara Stephens

Case No 2016-CA-003496

Manatee County Florida acknowledged as an Expert by The Presiding Judge  
regarding Finance, as a HUD representative, Expert Witness pursuant to  
Mortgages and Secondary Market and foreclosure

ESPINOZA v. CREVECOR MORTGAGE, INC, et al

Case No CV2022-000537

Arizona Superior Court Maricopa County

Aacknowledged as an Expert by The Presiding Judge Joseph Mitish  
regarding Finance as a Banker, as a HUD representative, Expert Witness  
pursuant to Mortgages and Secondary Market and foreclosure

Others available on request